

The Solicitors' Journal.

LONDON, MAY 14, 1881.

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CURRENT TOPICS.

MR. JUSTICE KAY resumed his sittings at Lincoln's-inn yesterday (Friday).

IT IS UNDERSTOOD that proposals with reference to the consolidation of the Rules of the Supreme Court, and of all the other existing rules and orders affecting each division of the High Court and the Court of Appeal, will shortly be submitted to the authorities for consideration.

THE CONVENIENCE of an office within the Royal Courts of Justice at which solicitors can pay money into the Bank of England, in respect of sums payable into court in actions in the Chancery Division, has not yet been afforded, owing to delay in removing the office which at present occupies the rooms destined for this purpose. It was hoped that this change would have been effected at the same time as the new division of the ledgers in the Chancery Paymaster's office, but it appears doubtful whether it can be carried out so soon.

THE LEGAL ELEMENT in the Royal Commission which has just been appointed to inquire into the eminently legal question of the constitution and working of the Ecclesiastical Courts, although unexceptionable in quality, is somewhat small in quantity. Out of twenty-five commissioners there are but six judges or practising barristers. It is, moreover, to be remarked that there is no member to represent on the commission those who of all others probably understand best the practical working in some respects of the present Ecclesiastical courts—viz., the proctors, by whom the recent ecclesiastical *sui* have been conducted.

IN THE COURSE of the hearing of the application with reference to the sale of the Rev. S. F. GREEN's furniture for the taxed costs in the suit against him under the Public Worship Regulation Act, the Lord Chancellor is reported to have expressed his surprise "that costs to the amount of £243 had been incurred in an undefended cause. He should have thought some £10 would have been the amount." We, in our turn, cannot help expressing our surprise that such an observation should have been made. Is it possible that it can have been considered that under section 9 of the Public Worship Regulation Act the evidence in any case under that Act must be given *viva voce* in open court, or that at the hearing before Lord PENZANCE all the steps in the proceedings against Mr. GREEN were obliged to be strictly proved; or that the contempt must have been signified to the Chancery Division; or that a copy writ must have been sent to the Vice-Chancellor of Lancaster, and that there was subsequently a hearing at his chambers, followed by the issuing of a writ *de contumace capiendo*? The Lord Chancellor can hardly be seriously of opinion that all these steps and the fees of counsel could have been covered by £10. The remark was, perhaps, one of the class which the Court of Appeal are fond of styling "improvident." So also were the recent remarks of Lord COLERIDGE as to the costs of administration actions. But unfortunately the public who read these observations take them for gospel.

AN ACTION tried a few days ago before Mr. Baron POLLOCK involved an important question of election law. Mr. BRINTON, M.P. for Kidderminster, was sued by a solicitor for work done and money paid by him as one of defendant's agents at the late election. The defendant relied upon the fact that certain of the accounts were not duly delivered to his authorized agent, and, after considerable discussion, the items in question were abandoned by the plaintiff's counsel. By the Corrupt Practices Prevention Act, 1863 (26 & 27 Vict. c. 29), s. 2, no payment is to be made by, or on behalf of, any candidate at an election on account or in respect of such election otherwise than through an agent or agents, whose name and address, or names and addresses, have been declared in writing to the returning officer on or before the day of nomination, and any person making any payment otherwise than through such agent or agents is to be guilty of a misdemeanor. By section 3, all persons having any claims upon any candidate in respect of any election must send their bills or claims to the election agent or agents within one month from the day of the declaration of the election, "otherwise such persons shall be barred of their right to recover such claims, and every or any part thereof." It will be noticed that Mr. BRINTON, however desirous he might have been of paying

the whole of the plaintiff's claim, could not have done so without being himself guilty of a misdemeanor.

IN THE CASE OF *Ex parte Lynch, In re Lynch* (24 W. R. 375, L. R. 2 Ch. D. 227), the Chief Judge held that, notwithstanding the provisions of the Infants' Relief Act, 1874 (37 & 38 Vict. c. 62), an infant debtor who trades may, after attaining his majority, be adjudicated a bankrupt in respect of a trade-debt contracted, and upon an act of bankruptcy committed, during his infancy. The ground of his decision was that the Infants' Relief Act had made no difference as regards the rule that an adjudication of bankruptcy against an infant who has held himself out as *sui juris*, and traded as such, would not be annulled. Of course, if the ground of this decision was correct, the fact that the infant in *Ex parte Lynch* had attained his majority before he was adjudicated bankrupt was immaterial, and in a case of *Ex parte Jones, Re Jones*, decided by the Chief Judge on Monday last, he held that, although the infant who has traded remains an infant at the date of the adjudication, the adjudication will not be annulled. But is the interpretation of the Infants' Relief Act adopted by the learned judge correct? As to this we confess we entertain considerable doubt. "The object of the Infants' Relief Act," said the learned judge, in *Ex parte Lynch*, "was to protect young persons, not from the consequences of trading, but from extravagant debts incurred for unnecessary articles, such as jewellery. It has no application to a case like the present." But in *R. v. Wilson* (L. R. 5 Q. B. D. 28) it was held by the Court for Crown Cases Reserved (including COCKBURN, C.J., and LINDLEY, J.) that the Infants' Relief Act protected an infant who had traded, and had been adjudicated bankrupt in respect of a trade debt, against a conviction under section 12 of the Debtor's Act, 1869, for quitting England with property with intent to defraud his creditors. The ground of that decision (in which, however, *Ex parte Lynch* was not cited) must have been that by reason of his infancy the proceedings in bankruptcy were void, and that he had not any creditors within section 12 of the Debtor's Act, 1869, amongst whom the property ought by law to have been divided.

SIR GABRIEL GOLDNEY'S MEASURE for the admission of clergymen to Parliament took the shape of a Bill for the repeal of 41 Geo. 3, c. 63 (generally known as "HORNE TOOKE'S ACT"), section 1 of which declared that "no person having been ordained to the office of priest or deacon, or being a minister of the Church of Scotland, is capable of being elected to serve in Parliament as a member of the House of Commons;" while by section 2 any such person sitting or voting as a member of the House was subjected to a penalty of £500 for every day on which he should do so, to be recovered by any person who should sue for the same. It is, however, very doubtful whether the repeal of this Act would be sufficient to open the House of Commons to a clergyman, since the parliamentary precedents on the subject, up to the year 1801, were most inconclusive. In 1553, the Rev. Dr. NOWELL, who had been elected a Burgess for Loo, was declared by a Committee of the House to be unable to sit, "being a prebendary of Westminster, and thereby having a voice in the Convocation House." In 1620, a clerk returned for Morpeth was similarly excluded by the Committee of Elections "because he had, or might have, a voice in the Convocation;" and in 1661 Sir JOSEPH CRADDOCK was declared by the same committee to be disabled from sitting in the House because he was in holy orders, there being in this case no reference to the contingency of his sitting in Convocation. On the other hand, it appears that Sir THOMAS HAXEY, clerk, sat in the House of Commons during the reign of Richard II.; while in 1785, EDWARD RUSHWORTH, clerk,

who had been elected for Newport, and had been petitioned against on the ground that he was a clerk in holy orders, was declared to have been duly elected. In this conflict of authorities the House refused to declare Mr. HORNE TOOKE to be ineligible, and the 41 Geo. 3, c. 63, was then introduced and carried by Mr. ADDINGTON. Roman Catholic clergymen are excluded from the House of Commons by section 9 of the Emancipation Act of 1829; but ministers of all other denominations are eligible. It will, of course, be remembered that, under the Clerical Disabilities Act, 1870 (33 & 34 Vict. c. 91), ss. 3, 4, any minister of the Church of England may, by executing a deed of relinquishment, and inrolling the same in Chancery, and delivering a copy of it to the bishop of the diocese, be discharged from "all disabilities, disqualifications, restraints, and prohibitions" to which he would be subject as a minister of the Church of England. We believe that more than one member of the present House of Commons has availed himself of this Act.

LIABILITY OF CORPORATIONS FOR TORTS INVOLVING MALICE.

IN the recent case of *Edwards v. Midland Railway Company* (L. R. 6 Q. B. D. 287), it was decided by Mr. Justice Fry, on further consideration, that an action for malicious prosecution will lie against a corporation aggregate, such as a railway company. It seems strange that this identical point should never have been decided before. The learned judge went through the authorities, and showed that other actions involving malice have been held to lie against companies or corporations, and so far his decision has the support of authority; but, with regard to this particular form of action, there seems to have been no actual decision. In *Stevens v. Midland Counties Railway Company* (10 Ex. 352), Baron Alderson held that in order to support such an action it must be shown that the defendant was actuated by a motive in his mind, whereas a corporation has no mind. The other two judges who were parties to the judgment decided in the company's favour on other grounds.

Mr. Justice Fry did not go very much into the reason of the thing apart from authority; but it seems to us that there is little doubt that his decision follows the current of recent authority, and is correct in principle, independently of precedent. The same difficulty has been raised in many cases in which it is now well established that an action will lie against a company. It is a proverbial saying, sometimes put in terms more forcible than elegant, that a company is not amenable to moral or physical arguments, having neither soul nor body. But the courts have increasingly tended to the conclusion that, inasmuch as a company has a purse, which for the practical purposes of litigation is the important matter, it may be treated as constructively having a soul or mind. Thus it seems now to be clear that an action will lie against a company for a fraudulent representation made by its agent within the scope of his authority. The same difficulty arises here as in the case of an action for malicious prosecution, because moral fraud is essential to this form of action, and however fraudulent directors may sometimes be, fraud cannot be predicated of the corporation itself. Similarly, in *Whitfield v. South-Eastern Railway Company* (E. B. & E. 122), Lord Campbell said that the ground on which it was contended that an action for a libel could not possibly be maintained against a corporation aggregate failed, and also that there might be great difficulty in saying that under certain circumstances express malice might not be imputed to, and proved against, a corporation. Certainly it seems to us that there is far greater difficulty with regard to libel than

malicious prosecution. Chief Justice Erle said in *Green v. London General Omnibus Company* (7 C. B. N. S. 290, 301), that the doctrine that a corporation, having no soul, cannot be actuated by a malicious intention, is more quaint than substantial. It seems, therefore, that the view of Baron Alderson has not been received by other judges.

With regard to the principle of the thing, the difficulty is more formal than substantial. It may at first sight seem anomalous that in cases where a mental intention or motive is essential to the cause of action, the action should lie where the actual defendant had not, and could not have, any mental intention at all. But, in truth, it is clear that the question is not peculiar to corporations when the essence of it is apprehended. The difficulty arises from a fallacious mode of stating the question.

Assuming that a mental intention is necessary to some causes of action, the question really is whether that mental intention must be the defendant's. We apprehend that it need not. The true question involves the principles of the law of agency, or of master and servant, and has nothing to do with the law of corporations as distinguished from other persons. The same question in reality always arises where it is sought to make a principal or master responsible in this class of action for the acts of his agent or servant. The corporation is really only in the same position as the principal who had not the particular intention in question. It may be said that the individual could have had the intention, but the corporation could not, not having a mind. The distinction appears to us, for civil purposes, to be immaterial. It is clear, *ex hypothesi*, if the individual principal, or master is liable, it is not on the ground of his moral delinquency, for he has been guilty of none. If he is responsible, it is because his agent or servant, acting within the scope of his authority, has been guilty of moral delinquency. Why should not the same reasoning apply to a company? We know of no reason. All considerations of convenience and justice seem to point to a company's being as much responsible in such a case as an individual. The true solution of the question, whether in such cases a corporation ought to be made liable, seems to depend on the applicability, or otherwise, of the reasons for the liability of the principal for the acts of his agent, or the master for those of his servant. The liability of the principal for the acts of his agent in actions *ex contractu* seems to depend on very obvious grounds. It depends on the existence of actual authority, or on circumstances which estop the principal from denying the authority. The ground for the liability of a principal for the torts of his agent, or a master for those of his servant, is not quite so distinct or so easily expressed. But it seems to be just that he should be liable on grounds of this sort—viz., that if a person delegates, or procures the performance of, an act or series of acts for his own advantage, he should be responsible in respect of the conduct of the person performing the act or series of acts in obedience to his direction, so far as the action of such person is incidental to the employment. As to the limits of this rule, of course, great niceties arise. It is very difficult to say what is within the scope of the employment, as many cases in the books testify, but, putting aside the difficulty of application, if the rule be the true one, why should it not apply to a corporation or company as much as to a private individual?

With regard to the case of actions which involve malice, the difficulty must usually lie in showing that the action of the servant or agent came within the scope of his employment. The question as raised in *Edwards v. Midland Railway Company* did not present the difficulty that it conceivably might, for the jury found malice generally, and the questions of law reserved were only whether an action for malicious prosecution would lie against a corporation, and whether the employment of the detective who prosecuted was an act within the scope of the company's

incorporation, both of which questions were, we think, for the reasons we have given, easily answerable in the affirmative. But it seems to us that there are other questions which might possibly be involved; for instance, whether the malice which actually existed in the mind of the servant or agent was malice purely personal to himself and arising out of his personal relations, or was malice which, so to speak, arose out of, and was connected with, his representative capacity. We do not know whether this might or might not be material. But suppose a railway detective took advantage of his position to bring a groundless charge against, and prosecute, a man from some motive of malice purely personal to himself—as, for instance, because the party charged had been his successful rival in a love affair—would his malice in such a case be rightly held to be constructively the company's malice? We suggest this by way of illustration, and as opening up various nice questions, without professing to indicate a decided opinion on the question which arises. The malice here is clearly not the malice of the man *quod* company's servant, but his own private and personal malice. Possibly such nice points would not often arise in actual practice, or else it would be difficult often for a jury to say where the company's servant ended and the individual began. To judge from our experience of juries in similar matters, they would generally take care in all doubtful cases to prevent nice points of law arising by finding all questions of fact against the company.

THE IRISH LAND BILL.

III.

We have traced the history of the occupation of Irish land from a period anterior to the English invasion down to the latter part of the eighteenth century, and have seen that, notwithstanding great changes in his legal position, and several successive forfeitures of the *ownership*, the continuous occupation of the peasant remained, over a great part of the country, practically unaffected. The natural operation of economical causes would doubtless, however, have tended there, as elsewhere, as society became at once more settled and more complex, to reduce the relative positions of owner and occupier to the simple commercial relation of letting and hiring, had they not been neutralized by the effect of two events of importance.

The first of these was the interference by the English Parliament, and in the interest of English manufacturers only, with the Irish export trade, the effect of which was to render agriculture the only available resource of the great bulk of the population, and thus to produce what would in these days be described as "inflation" in the possessory value of land. The other was the Declaration of Legislative Independence, whereby the Irish Parliament, in 1782, disclaimed the condition of vassalage adopted, for their own purposes, by the Parliament of the Pale in 1491, under which the Irish House of Commons had been, for nearly 300 years, little more than an office for registering the edicts of the English Privy Council. One of the first acts of the emancipated Parliament was to emancipate, in its turn, the constituencies, by extending the franchise (but not the right of being elected) to Roman Catholics, with an immediate, though altogether unintended, effect upon the tenure of the soil. For the county franchise was then—and thenceforward down to 1828—strictly limited to freeholders to the value of forty shillings and upwards, and, as we have seen, but a very small proportion of the population had any tenure whatever beyond a mere right of occupation: but the possession of a county seat became now, for the first time, an object of real ambition to the landed gentry of the kingdom, who speedily discovered that they could get

what was to them a more valuable return out of their estates by covering them with a dependent and submissive tenantry, the certainty of whose votes more than compensated for the precariousness of their rents, than from the system of extensive grazing farms which had been introduced in the earlier part of the century. And the old plan of giving leases for lives, which had been gradually dying out, afforded a means of effecting readily the double object, of making the tenant a freeholder in law, and keeping his actual right of occupancy as precarious as before. The result, acting on the natural bias of the people already pointed out, was to cover the country, particularly in its poorer districts, with a teeming population, nominally owners of freeholds (i.e., leases *pur autre vie*) of values kept as near the magic forty shillings as the power of sub-division could attain to, who were, under the most prosperous circumstances, barely able to maintain life on the lowest scale compatible with any settled existence at all, and who were, on the occurrence of the slightest misfortune (the accidental death of a cow, or the failure of an oat crop), reduced to a condition of absolute pauperism, and dependent, not merely for continued occupation, but for the very means of subsistence, on the forbearance or liberality of the landlord. He, in his turn, considered himself repaid for rents in arrear, often remitted altogether, may, even for occasional substantial assistance in food or money, by the unswerving fidelity with which he was served at the polls. The Union with Great Britain, which swept away two-thirds of the members of the Irish House of Commons, left the sixty-four county members intact, and thus rather increased than alleviated the state of things described. There were, we believe, many parts of the country where the average holding did not in the year 1820 exceed five acres (at an average rent of ten to fifteen shillings an acre), and we can speak from personal knowledge of a district in which the sub-division was carried further yet, and a whole country side was cut up into plots not really larger than good-sized potato-gardens. In this case, however, agriculture was only a part of the tenant's occupation, and the livelihood they could not have made as farmers they eked out as weavers.

The first shock to this system was given by the celebrated "Clare Election," when the tenantry of Mr. Vesey Fitzgerald and his friends, for the first time in the history of the island, voted against a deservedly-popular landlord, and in favour of a comparative stranger, on the ground of "public politics." The Emancipation Act of 1829, which immediately followed, disfranchised the forty-shillings freeholders, and substituted a £50 occupation franchise (which has since been lowered to £12), and thenceforth the efforts of the landowners have been mainly directed to getting rid of the evil effects of the excessive sub-division which they had, until then, encouraged.

In the meantime, the "Customs of Ulster"—so much talked about, so little understood outside the limits of the province—had been growing up. The population of that province were mainly the descendants of the settlers under James the First's "Plantation," and, although comparatively few of them retained their original holdings, they had never ceased to feel themselves entitled to a more permanent interest in the soil than was recognized by the law. There was no way in which the landowners could more readily ingratiate themselves with the tenantry—and this was, as we have seen, an object of importance with them—than by permitting the transfer of this interest, which by-and-by came to be generally recognized under the name of "goodwill." Moreover, it was soon perceived that this "goodwill" might be so used as to constitute a valuable additional security for the payment of rent, and it very soon became the practice on a very large number of estates to require all sales of the goodwill to be made "in the office," the money being paid to the agent, who deducted therefrom the arrears of rent before handing

the balance to the outgoing tenant. The decision of the court against the legal validity of the custom left the incoming tenant wholly at the mercy of the landlord, who might evict him at any time without permitting a sale of the goodwill, but, nevertheless, so firmly rooted was the custom, and so undoubting the trust of the people in the honour of the landowners, that we have frequently known the goodwill of a tenancy from year to year, comprising no legal right to anything beyond occupation at a full rent till the then next 1st of November, sold for a larger price than could have been got for the fee-simple of the farm.

When, by the operation of the Incumbered Estates Court (established by Lord John Russell's Government after, and in consequence of, the famine of 1846—7), a new race of owners was introduced, who knew nothing of the history of their estates, and had enjoyed none of the benefits, pecuniary or otherwise, which this system had secured to their predecessors in title, it was not long before some of them were found ready to insist upon the legal rights for which they had paid their money, and disinclined to listen to any counter-claims founded on considerations to which they were utter strangers. The action of these men, and notably of one, who had purchased in 1843 a considerable property in the most flourishing part of Ulster, near to the great estates of the Hills and Stewarts, where the customary rights of the tenants had always been looked upon as sacred—though not only perfectly legal, but the natural result of the conditions under which they had acquired their property—inevitably caused great dissatisfaction, not only to the tenants immediately affected, but to all who felt that the insecure nature of their own tenure was, if not aggravated, at least exposed. It was a common saying at the time, "a single bad case takes away the confidence of a whole country side." Out of this feeling grew the "tenant-right agitation," organized by the late Mr. Sharman Crawford, which was indeed itself confined to Ulster, but which may be said to have been the nucleus of all the subsequent movement. The result of this movement, after several abortive attempts at settlement, was the Land Act of 1870, which though looked upon at the time as a daring invasion of the rights of property, it is now the fashion to call, from the tenants' point of view, a failure. So far, however, as Ulster is concerned, that Act, so far from being a failure, has been as successful as any measure, upon its lines, could possibly have been. By legalizing the Ulster customs, wherever they existed, and in all their varied forms, it secured to the tenantry absolutely, not only all they were entitled to, but all they ever wished to claim: and if the Act had stopped short at the end of the first section, it would have done for Ulster all that law could do in that direction. It did not, however, take long to show, first, that this legal recognition of the tenant's position entailed, even in Ulster, disadvantages which he had not foreseen; and, secondly, that in the rest of the island these disadvantages were produced in an intensified form, and without the countervailing benefit derived in the north from the legalization of the custom.

Upon a due appreciation of these disadvantages will depend the success or the contrary of any attempt to amend the shortcomings of the existing Act. But the subject runs too much into details to be entered upon at the far end of an article.

Mr. E. E. Harrison, of 46, St. Martin's-lane, writes:—"It will interest your readers to learn that the sculpture gallery of the Royal Academy contains a very excellent portrait bust of Mr. John Iliffe, of 2, Bedford-row, by T. Eral Harrison, wrongly described in the catalogue (No. 1,569) as Mr. John Stiffe."

CORRESPONDENCE.

PROSECUTIONS FOR PERJURY.

[To the Editor of the Solicitors' Journal.]

Sir,—It is surprising that attention has not been called to the astonishing nature of the proceedings which attend the prosecutions for perjury which so frequently follow some notorious case at the Central Criminal Court or assizes.

The theory of the English law is that the prisoner's testimony concerning himself is not worthy of credit. At a trial, therefore, for a misdemeanor or felony, his mouth is shut and the prosecution witnesses can say what they please without danger of being contradicted by him. Well! owing to the promptness of a jury to believe a plausible story in the affirmative, while the negative (especially in the absence of knowledge before the trial as to what facts will be alleged) is so hard to establish, we will suppose a man unjustly convicted. An appeal is made to the Home Secretary to review the sentence, and release a man from the horrors of perhaps undeserved slavery in penal servitude.

What does the Home Secretary do? He cannot direct a new trial, and he declines to take on himself the reversal of the sentence in the conflict of evidence, but he offers, if the principal witnesses for the prosecution are convicted of perjury, to advise the Crown to grant a free pardon.

Another criminal trial is the result; but this time the situation of the parties is reversed. The convicted defendant of the last trial and his witnesses get up their case, they work up corroborative evidence, rake up everything that tells in their favour, and the principal witness—perhaps the prosecutor in the last trial—takes his seat in turn in the dock, and in turn finds out the difficulty on the spur of the moment in rebutting, by evidence, positive or negative, the plausible case made by the prisoner who is now prosecuting him. The jury perhaps see that there is, to say the least, a great likelihood that justice has miscarried, and that the previous prisoner is suffering an unjust sentence. Their feelings are worked on by the prisoner's counsel, and after an incisive summing up by the judge they convict the prosecutor or principal witness of perjury. He is sent off to serve his sentence, the former defendant is released. But the issue of the whole depends on this fact, that the former prisoner may have been unfairly convicted, while the witness against him may not have committed perjury at all. His story may have been true, or he may be *bona fide* mistaken. These proceedings are a scandal to our law.

J. R. HALL.

Broughton-in-Furness, May 9.

DORMANT FUNDS IN CHANCERY.

[To the Editor of the Solicitors' Journal.]

Sir,—A notice given by Mr. Findlater, M.P., for a return respecting unclaimed funds in the Court of Chancery (Ireland), embodies suggestions from time to time made by me for the improvement in form of the English list of dormant funds in chancery. It therefore seems a convenient opportunity to draw attention to the great delay in the issuing of the lists. By the rules under the Chancery Funds Act, 1872, it is provided that as soon as conveniently may be after the 1st of October, 1873, and after the same day in every succeeding third year, a list of funds undistributed for fifteen years or upwards shall be published in the *London Gazette*. As a matter of fact one list only has been issued since the passing of the Act of 1872—namely, on the 1st of March, 1877—so that triennial publication is out of the question. If the lists were issued promptly in an improved form, and published in newspapers likely to be seen by the parties interested, there is no reason why the great bulk of these

funds should not be transferred out of court to the rightful owners.

EDWARD PRESTON.

1, Great College-street, Westminster, May 11.

CASES OF THE WEEK.

BANKRUPTCY—EXAMINATION AS TO PROPERTY OF BANKRUPT—PRODUCTION OF DOCUMENTS—BANKRUPTCY ACT, 1869, s. 96.—In a case of *Ex parte Tutton*, before the Court of Appeal on the 5th inst., a question arose as to the right to compel production of documents by a person examined under section 96 of the Bankruptcy Act, 1869, respecting the property and dealings of a bankrupt. Section 96 provides that "the court may, on the application of the trustee, summon before it any person known or suspected to have in his possession any of the estate or effects belonging to the bankrupt, or supposed to be indebted to the bankrupt, or any person whom the court may deem capable of giving information respecting the bankrupt, his trade dealings or property, and the court may require any such person to produce any documents in his custody or power relating to the bankrupt, his dealings, or property." The wife of a bankrupt was, before her marriage, possessed of a policy of insurance on her own life, and had assigned it by way of mortgage. After the marriage the mortgage debt was paid off, and the mortgagee, by a deed to which both husband and wife were parties, assigned the policy to trustees on trust for the wife as part of her separate property. There had been no ante-nuptial agreement for a settlement. After the adjudication of bankruptcy, but before the bankrupt had obtained his discharge, the wife died. She had not made any disposition of the policy. The trustee in the bankruptcy summoned for examination, under section 96, a solicitor who had formerly acted for the wife. From his examination it appeared that the policy was in his possession; that after the assignment to the trustees the husband and wife had joined in a deed by which it was mortgaged to another person; that by a subsequent deed this mortgage was transferred to the solicitor; and that by a third deed the wife had assigned the equity of redemption to him. The second and third deeds were executed after the bankruptcy. The trustee's counsel asked for production of these three deeds; the solicitor objected to produce them. The registrar held that they must be produced. On the appeal it was objected that the deeds related to the separate estate of the wife. The court (JAMES, BAGGALLAY, and LUSH, L.JJ.) affirmed the decision of the registrar. JAMES, L.J., said that on the marriage the policy became the husband's property, subject to the wife's equity to a settlement; *primæ facie*, therefore, it was his property. It was attempted to make it the wife's separate property by a post-nuptial deed. If it were the wife's separate property, it would pass to the husband as survivor, and would vest in his trustee. The trustee had, therefore, a right to see all the three deeds.—SOLICITORS, W. Tutton; Lumley & Lumley.

PROOF IN BANKRUPTCY—INTEREST SUBSEQUENT TO DATE OF ADJUDICATION—PROOF ON SEPARATE ESTATES OF TWO PARTNERS.—In a case of *Ex parte Findlay*, before the Court of Appeal on the 5th inst., a question arose as to the right of a creditor proving a debt in bankruptcy to interest on the debt subsequently to the date of the adjudication. A creditor, to whom two partners in trade owed a debt which they had contracted fraudulently, elected to prove against the separate estate of each partner. One of the separate estates paid dividends to the amount of fourteen shillings and threepence in the pound; the other paid dividends to the amount of twelve shillings and elevenpence in the pound. The creditor received ten shillings in the pound from each estate. The joint estate had paid only one shilling and sixpence in the pound. The creditor claimed to retain the benefit of his proofs against the separate estates until he had received interest on his debt up to the time of payment. It was contended on his behalf that each proof was a distinct security, and that the principle of the decisions of Lord Justice Giffard in the cases of the *Warrant Finance Company* (13 W. R. 102, 154, L. R. 5 Ch. 86, 88) applied. The creditor, it was contended, was entitled to the benefit of each proof,

independently of the other, and might apply it as he pleased until his debt was fully paid with interest. The court JAMES, BAGGALLAY, and LUSH, L.J.J. refused to admit the claim. JAMES, L.J., said that the rule in bankruptcy was clear. There was only one administration of joint and separate estate, though for convenience of administration the creditors were divided into two classes. When a creditor was competing with other creditors he could not prove for interest accrued due after the adjudication. Of course, if he held a security his right was different. Otherwise he could not have interest after the adjudication until all the other creditors, joint and separate, had been satisfied the principal of their debts.—SOLICITORS, *Murray, Hutchins, & Stirling; Travers, Smith, & Braithwaite.*

BANKRUPTCY — PROTECTED TRANSACTION — SECURED CREDITOR — GARNISHEE ORDER — BANKRUPTCY ACT, 1869, s. 94 (SUB-SECTION 3), s. 95 (SUB-SECTION 3).—In a case of *Ex parte Pillers*, before the Court of Appeal on the 5th inst., the question arose whether an attachment of a debt by a garnishee order is within the protection of either section 94 (sub-section 3) or section 95 (sub-section 3) of the Bankruptcy Act, 1869. Section 94 provides that nothing in the Act shall render invalid (*inter alia*) (3) "any contract or dealing with any bankrupt, made in good faith and for valuable consideration, before the date of the order of adjudication, by a person not having, at the time of making such contract or dealing, notice of any act of bankruptcy committed by the bankrupt, and available against him for adjudication." And section 95 provides that "the following transactions by and in relation to the property of a bankrupt shall be valid, notwithstanding any prior act of bankruptcy" (*inter alia*):—(3) "Any execution, or attachment against the goods of any bankrupt, executed in good faith by seizure and sale before the date of the order of adjudication, if the person on whose account such execution or attachment was issued had not at the time of the same being executed by seizure and sale notice of any act of bankruptcy committed by the bankrupt and available against him for adjudication." The question arose in this way: on the 14th of August one Curtoys committed an act of bankruptcy. On the 30th of August a judgment was recovered against him for £167. On the 1st of September the judgment creditor issued a garnishee order *nisi* against one King, attaching all moneys due from him to Curtoys, to answer the judgment debt, and this order was served on King on the 2nd of September. The order was made absolute on the 15th of September. The judgment creditor had no notice of any act of bankruptcy committed by Curtoys. On the 25th of September Curtoys was adjudicated a bankrupt upon the act of bankruptcy of the 14th of August. The trustee in the bankruptcy alleged that the attachment was invalid as against him. The judge of the county court held that the obtaining the garnishee order was a "dealing with the bankrupt" within the meaning of sub-section 3 of section 94, and was protected by it, as the garnisher had had no notice of the act of bankruptcy. The Chief Judge held that the order was an attachment against the "goods" of the bankrupt within sub-section 3 of section 95, and that, as the attached debts were not capable of being sold, and the judgment creditor had done all that he could to obtain possession of them, the attachment was within the protection and was valid as against the trustee. Upon the appeal reliance was placed upon *Ex parte Joselyne* (26 W. R. 645, L. R. 8 Ch. D. 327), in which JAMES, L.J., said: "The property in the debt was transferred, and there was a complete and perfect security the moment the order of attachment was served." The court (JAMES, BAGGALLAY, and LUSH, L.J.J.) held that the attachment was not protected, and that it was invalid as against the trustee. JAMES, L.J., said that he could not agree either with the county court judge or with the Chief Judge. In order that the transaction might be protected it must be within the words or the reasonable meaning of sub-section 3 of section 95. The sub-section said that the attachment must have been perfected by seizure and sale before the adjudication. A debt attached under a garnishee order was not capable of being sold, and therefore such an attachment was not within the words. Without giving a final opinion, his lordship's strong impression was that the word "goods" meant "goods and chattels" capable of being sold. At first he doubted whether there was anything of that kind capable of being

"attached." But the words occurred in the Bankruptcy Act, 6 Geo. 4, c. 16, s. 81, and he thought the Legislature had then in view the process of equitable execution in the Court of Chancery, whereby goods sequestrated for non-payment of money, ordered by a decree to be paid, could ultimately be sold and the proceeds of sale applied in payment of the money. There was, therefore when the words were first used in a Bankruptcy Act, something in the nature of an attachment on goods to which they could be applied, and this was sufficient to satisfy the words. But, if the words applied to the present case, the only equivalent to a sale of goods would be a realization of the attachment by actual payment of the attached debt to the garnisher. So long as it remained *in fieri*, so long as the debt was unrealized, an attachment could not be put higher than a mere seizure of goods by the sheriff, without any sale. BAGGALLAY, L.J., said that it was immaterial whether the debt was or was not to be considered as part of the goods of the bankrupt. If it was, the attachment in order to be protected must have been executed by seizure and sale; if it was not, it was not within the protection at all. But he agreed with JAMES, L.J., that the debt was not "goods" of the bankrupt. At the time when the words were first used in a Bankruptcy Act there was no such thing in existence as an attachment of a debt by a garnishee order in existence. LUSH, L.J., agreed that it was unnecessary to decide whether sub-section 3 of section 95 did or did not apply to an attachment under a garnishee order. But he could not help thinking that, whatever might have been the meaning of the words in former Bankruptcy Acts, they must, in the present Act, be taken to include an attachment by a garnishee order, a process which had been created by the Common Law Procedure Act and was well known at the time. Sub-section 2 of section 95 dealt with attachments against land of a bankrupt, and then sub-section 3 dealt with attachments against his "goods," not "goods and chattels." He thought it was intended to deal with all kinds of property which would pass to the trustee. The word "goods" might include debts, and he thought it must be taken as including them. Assuming that it did, the object of the provision was to protect creditors who, after the commission of a secret act of bankruptcy, had pursued their remedies against their debtor, but they were to be protected upon certain conditions. Goods, in the ordinary sense of the word, must have been, not only seized, but sold before the adjudication, and this showed that the intention was that, so long as the execution remained only a security, it should not be protected. There must have been an actual conversion of it into money. What was the equivalent in the case of an attachment by a garnishee order? The security must have been realized before there could be any protection, and the attachment could only be realized by obtaining payment of the debt from the garnishee, either voluntarily or by means of an execution upon his goods. Till that had been done there was to be no protection. The words "seizure and sale" had no application to such an attachment, but they showed what was the meaning of the Legislature clearly enough to enable the court to apply the principle. There must have been an actual receipt of the attached debt by the garnisher, and till then the garnishee order was only a security, and there was no protection. JAMES, L.J., said that, if the case should ever arise of an actual receipt of the attached debt by the garnisher before the adjudication, it was entirely unprejudiced by the present decision. Leave to appeal to the House of Lords was asked for, but was refused.—SOLICITORS, *Whitakers & Woolbert; B. H. Van Tromp.*

PRACTICE—COSTS—THIRD-PARTY NOTICE — ORD. 16, RR. 17, 21.—In a case of *Witham v. Vane*, before the Court of Appeal on the 9th inst., a question arose as to the payment of the costs of some third and fourth parties. The original defendants had served a third-party notice, in pursuance of an order giving them liberty so to do, upon some persons from whom they claimed an indemnity in case of relief being given to the plaintiffs, and the third parties in the same way served a notice on some fourth parties against whom they claimed a similar indemnity. At the trial Fry, J., held that the plaintiffs were entitled to only a small part of the relief which they claimed, and he ordered them to pay the costs of the third and fourth parties (24 SOLICITORS' JOURNAL, 612). The Court of Appeal (JAMES, BAGGALLAY, and LUSH, L.J.J.) held that the plaintiffs were not entitled

to any relief at all, and they ordered them to pay the costs of the defendants, and left the third and fourth parties to bear their own costs. The court also expressed an opinion that there was no jurisdiction to make the plaintiffs pay the costs of the third and fourth parties.—*Solicitors, Markby, Wilde, & Barra; Parkin, Pagden, & Woodhouse; Rogerson & Ford; Horns & Murray; Benn. Davis.*

BANKRUPTCY—REPUTED OWNERSHIP—CUSTOM—NOTORIETY—HIRING FURNITURE.—In a case of *Crawcour v. Salter*, before the Court of Appeal on the 9th inst., a question arose as to the effect of the custom of letting furniture on hire in excluding the operation of the doctrine of reputed ownership. Furniture had been sold to a hotel-keeper upon an agreement that it should be paid for by monthly instalments, and that, until all the instalments had been paid in full, it should remain the property of the vendor. The purchaser became bankrupt before all the instalments had been paid, and the trustee in the bankruptcy claimed the furniture under the reputed ownership clause. The Court of Appeal (JAMES, BAGGALLAY, and LUSH, L.J.J.), affirming the decision of Malins, V.C., held that the custom of letting furniture on hire is now so notorious that the court is bound to take judicial notice of it, and that no one, especially an hotel-keeper, can now gain false credit from the fact that he is in possession of furniture. In coming to this conclusion the court went further in favour of the existence of the custom than they did in *Ex parte Powell* (24 W. R. 378, L. R. 1 Ch. D. 501, 20 Solicitors' JOURNAL, 137), and they were to a great extent influenced by the fact that in that case the trustee in the bankruptcy declined to have an issue tried as to the existence and notoriety of the custom.—*Solicitors, Dixon, Ward, & Co.; C. F. Yorke; Kynaston & Gasquet.*

ANCIENT LIGHTS—ALTERATION—ERECTION OF NEW BUILDING—OBSTRUCTION—EVIDENCE.—In a case of *Fowlers v. Walkers*, before the Court of Appeal on the 6th inst., a question arose as to the evidence of obstruction to ancient lights. The plaintiffs had erected some warehouses on the site of some old cottages which they had pulled down. The defendants were erecting new buildings so as to obstruct the access of light to the plaintiffs' warehouses, and the action was brought to restrain the interference. Bacon, V.C., held that, as the plaintiffs had not proved in what part of the old cottages the windows, which were the foundation of their claim to ancient lights, were situated, they were not entitled to any relief. He said that, when ancient lights had been altered, it was essential for the person who claimed in respect of them to prove exactly the position and extent of the ancient lights. The Court of Appeal (JAMES, BAGGALLAY, and LUSH, L.J.J.) affirmed the decision, on the ground that the plaintiffs were bound to show that some part at least of their new windows was coincident with some part of the old ones; and that they had failed to do this.—*Solicitors, J. H. Lydall; Field, Roscoe, & Co.*

APPEAL—LOCUS STANDI—APPEAL BY ONE OF TWO CO-PLAINTIFFS.—In a case of *Beckett v. Attwood*, before the Court of Appeal on the 10th inst., an appeal was brought by one of two trustees who were co-plaintiffs. The other co-plaintiff had not appealed. It was objected that one co-plaintiff could not appeal without the other. The court (JAMES, BAGGALLAY, and LUSH, L.J.J.) overruled the objection. JAMES, L.J., said it was no answer to a person who complained that he was injured by a judgment to say that there was someone else who was also injured by it who did not choose to appeal. The defendants were in no worse position than if one of the co-plaintiffs had died.—*Solicitors, E. Letchworth; Lamb; E. H. Barlee; Dixon, Ward, & Co.*

PRACTICE—CONDUCT OF ACTION—INFANT NEXT FRIEND A DEFENDANT—FORMAL PARTY.—In a case of *Re Taylor, Taylor v. Taylor*, before the Master of the Rolls on the 6th inst., a motion was made on behalf of certain infants who had liberty to attend the proceedings that they might have the conduct of the action. An objection was taken on behalf of the defendants that the next friend of the infants was a defendant, and was, on that ground, an improper person to be so appointed. The next friend had been made

a formal defendant as his wife was suing. The property the subject-matter of the action had been given to the wife for life for her separate use, with remainder to the infants moving. JESSEL, M.R., in overruling the objection said that, as a rule, no doubt, a next friend should not be a defendant, but where, as in the present case, he might be said to be a formal or what had been called an ornamental defendant, there was no real objection to his acting as next friend. The real objection to a person acting as next friend was where he had an adverse interest and could not serve two masters. Therefore, without laying down any absolute rule, but relying upon what Lord Cranworth said in *Elliot v. Ince* (7 D. M. & G. 475), and upon *Lewis v. Nobbs* (L. R. 8 Ch. D. 591), he should, in the present case, hold that the defendant might act as next friend. On the merits his lordship gave the conduct to the infants, and made costs costs in the action.—*Solicitors, J. Burn; H. G. Gedney; Johnson & Weatheralls.*

COMPANIES ACTS—RECTIFICATION OF REGISTER—CANCELLING AND RE-ISSUE OF ALL SHARES—FORM OF ORDER.—In a motion before Vice-Chancellor Hall on the 12th inst., in *Re The Nassau Tea Company (Limited)*, a short point of practice arose to the form of order for the rectification of the register of shareholders. The application was made under the Companies Act, 1862, s. 35, on behalf of all the shareholders, for an order to direct the rectification of the register by striking out the names of all of them, and the re-issue of the shares after due registration of a contract under the Companies Act, 1867, s. 25. The facts were briefly as follows:—Eight persons, formerly trading as partners in India, had formed themselves into a limited company under the above name, to carry on their former business, and they were the signatories of the memorandum of association to the full extent of all the shares in the company, which were expressed to be issued as fully paid up. No contract, however, had been registered, as required by section 25 of the Act of 1867, and, the omission having now been discovered, it was, with the consent of the company, sought to set the matter right. As, however, by the order asked there would be created an interval during which there would remain no members of the company on the register, his lordship ordered that the register should now be altered by striking out the shares of every shareholder except one share in each case, and that the shares should then be re-issued to the same members after registration of a proper contract. The order would be expressed to be without prejudice to a subsequent application to strike out and re-issue the one share remaining against the name of each shareholder.—*Solicitors, Wade & Lyall.*

PRACTICE—MOTION FOR JUDGMENT—CONSENT BRIEFS—RECTIFICATION OF SETTLEMENT.—A short point of formal practice was raised by the registrar of the day on the 7th inst. in an action of *Fitzgerald v. Fitzgerald* before Hall, V.C. The action was for the rectification of a marriage settlement, and was brought on as a short cause upon motion for judgment. The husband, who was made a defendant to the action, appeared to give consent, being represented by separate solicitors, who, however, had briefed the plaintiff's counsel to give formal consent. The registrar drew the attention of the court to this, saying that the judgment could not be drawn up upon the briefs so held, and HALL, V.C., accordingly directed that the brief for the husband should be withdrawn, and judgment should go against him as in default of pleading. His lordship also directed that at the judgment should be taken in the form of the declaration given in *Ston on Decrees*, p. 1232 (*Brown v. Hull*, Dec. 16, 1876).—*Solicitors, Freshfields & Williams; Humphreys & Son; Bowlings, Foyer, & Co.*

ADMINISTRATION ACTION—INSOLVENT ESTATE—RULES IN BANKRUPTCY—JUDICATURE ACT, 1875, s. 10.—In a case of *Hipkins v. Hildick*, before Fry, J., on the 6th inst., the action was brought by a creditor for the administration of the real and personal estates of a testator, whose personal estate was insufficient for the payment of his debts. FRY, J., said that, having regard to the possibility that the whole estate might prove insufficient to pay the debts, it would be advisable to insert in the judgment for administration a direction that, in case the estate should prove insufficient for

the payment in full of the testator's debts and liabilities, the bankruptcy rules, with regard to the administration of the estates of persons adjudicated bankrupt, should be applied. This would call attention to the provisions of the Act, and might save trouble in working out the judgment.—*SOLICITORS, Undermaur & Co.; Emmet, Son, & Stubbs; S. Whitehead.*

CASES BEFORE THE BANKRUPTCY REGISTRARS.

(Before Mr. REGISTRAR MURRAY, acting as Chief Judge.)

May 7.—*Ex parte Spain, re Barclay, Gray, & Co.*

The Court of Bankruptcy has no jurisdiction to try the question of the trustee's right to money deposited by debtors in liquidation with their solicitor previously to the presentation of the liquidation petition, the money being also claimed by a third person who objects to the jurisdiction.

This was an application on behalf of Henry Spain, the trustee of the estate of Barclay, Gray, & Co., debtors in liquidation, for an order that Mr. W. B. Styer, solicitor, should, within four days after the hearing of the application, pay to the applicant the sum of £917 0s. 7d., cash in his hands.

In the month of February, 1880, the Eastern Agency (Limited) commenced an action against the debtors to recover damages for the non-acceptance of a cargo of rice, purchased by them under a contract in writing. The action was referred to arbitration pursuant to the terms of the contract, and on the 22nd of December, 1880, the arbitrator made his award, whereby he awarded the sum of £919 0s. 7d., to be paid by the debtors to the Eastern Agency (Limited).

On the 26th of January, 1881, the award was made a rule of the Queen's Bench Division of the High Court, and, on the 16th of February, an order was obtained for payment of the amount to the Eastern Agency (Limited).

The debtors, on the 1st of March, obtained an order to stay execution under the order pending an appeal by Tamvaco & Co. (who had been brought in as third parties pursuant to the provisions of the Judicature Act) on payment of the sum of £919 0s. 7d. into court to abide the result of the appeal.

On the 2nd of March the debtors handed the sum of £919 0s. 7d. in cash to Mr. Styer, their solicitor, and on the 3rd, and before the money could be paid into court, they presented a petition for liquidation.

On the same day (the plaintiffs' solicitors being unaware that the debtors had paid the money) Mr. Styer was served with a summons to set aside the order of the 1st of March, and, on the 4th of March, an order was made setting it aside.

The trustee claimed to have the £919 in the hands of Mr. Styer paid to him as part of the estate of the debtors, and the Eastern Agency (Limited) also claimed the money.

Finlay Knight, in support of the application.

R. T. Reid, and J. Linklater, for the Eastern Agency Company.—The court has no jurisdiction to try this question. It has no jurisdiction against a third party unless by consent: *Ex parte Dicken, Re Pollard* (27 W. R. 731, L. R. 8 Ch. D. 884); *Ex parte Brown, Re Yates* (L. R. 11 Ch. D. 148). The trustee can have no higher right to the money than the debtor has, and he ought to be left to his action.

C. Hall, for Styer.—I am a stakeholder merely, and desire to get rid of the money.

Knight, in reply.—The company is a creditor claiming to hold security, and is not a stranger to the proceedings. This is not a mere money demand by the trustee, it is a question whether the fund claimed by the company has been specifically appropriated to the payment of the company's debt.

Mr. REGISTRAR MURRAY said that, having regard to the case of *Ex parte Dicken, Re Pollard*, and the principles there laid down by the Master of the Rolls, he did not consider that he had jurisdiction to deal with this matter under the 72nd section. The remarks made by Lord Justice James in that case applied here, and he did not think it expedient that he should exercise jurisdiction. He did not see that the trustee had any higher right than the debtors had, and if they had brought an action against the solicitor to recover the money paid to him, it would have been his duty to inter-

plead. It was impossible for him to assume jurisdiction in such a case, and he must refuse the motion, with costs.

Solicitors for the trustee, *Marson & Dadley*.
Solicitors for the Eastern Agency (Limited), *Murray, Hutchins, & Stirling*.
Styer.

SOLICITORS' CASES.

QUEEN'S BENCH DIVISION.

(Sittings at Nisi Prius, before DENMAN, J., and a special jury.)

May 9—11.—*Mason v. Aird*.

Melshimer, with whom was *M Intyre, Q.C.*, appeared for the plaintiff.

Sir H. S. Giffard, Q.C., C. H. Anderson, and Frankau, were counsel for the defendant.

This action was brought by a late articled clerk to a solicitor against his master to recover damages for a breach of covenant that the defendant would use all his endeavours to promote the admission of the plaintiff as a solicitor of the Supreme Court. The plaintiff had been some years in the defendant's employ before the articles were signed, on May 24, 1876, for three years, and under these the plaintiff duly served the defendant. But when the plaintiff presented himself to the Law Institution for examination certain questions were put to the defendant as to whether the plaintiff had faithfully, honestly, and diligently served him, and the defendant refused to certify to that effect, whereby the plaintiff alleges he has been debarred and delayed from being admitted and practising in his profession. The defence set up is that the defendant honestly and *bona fide* believed certain statements as to the character and honesty of the plaintiff made to him by a Mrs. Stanley, since dead, with whom the plaintiff was at one time living. These related to a fee of £24s. 6d. for professional work due to Mr. D. Straight (now a judge in India), which the plaintiff alleges that barrister's clerk returned to him as a present for extra trouble taken in the case. Mr. Straight, however, denied ever having given this authority, and has written saying he would come over from India, if necessary, to prove it, and this denial is now admitted. This transaction, however, took place some fourteen months before the articles were signed, in March, 1875. Further, there was a charge of tampering with the stamps on certain bankruptcy proceedings, and with making away with the papers connected therewith in 1874-5. These papers were put in the plaintiff's room in the defendant's office in January, 1875, and Mrs. Stanley's story was that the plaintiff had taken the papers home and removed the stamps over the steam of a kettle. She further said the plaintiff admitted to her having taken £1 from his employer, on suspicion of which another clerk had been dismissed. The defendant, in January, 1879, addressed a long memorandum to the Law Institution at their request, setting out all these misdoings, and Mrs. Stanley's letters as his reason for refusing to certify, and on this the plaintiff has commenced a further action of libel against the defendant. In the present action, the plaintiff also claimed damages for a slander for the defendant's having said of the plaintiff to a Mr. Crump, about March, 1874, when he was investigating the plaintiff's accounts, "I have some suspicion he is robbing me; I may want you to overhaul his accounts."

At the conclusion of the evidence the learned JUDGE summed up and pointed out that this was not an action of libel, but, in accordance with the ruling of the Court of Appeal, the question was whether the defendant used his honest endeavours to promote the plaintiff's admission. They were not to try the guilt or innocence of the plaintiff, or the truth or falsehood of the accusations, but (1) whether the defendant honestly and *bona fide* believed them. It was to be observed that the defendant in June, 1879, after the expiration of the articles, entered into some negotiations with the plaintiff, as to re-engaging him. This the defendant explained as owing to a desire that the plaintiff should finish up two or three cases of which he was cognizant and the defendant ignorant, and to save a journey to the Maidstone Assizes. As to the slander, did the defendant (2) mean to impute a felony to the plaintiff in what he said to Crump? Thirdly, was he actuated therein by actual malice? If they found a verdict for the plaintiff, they would award him damages on both heads.

Sir H. Giffard said he had not touched on the question of slander, as the Lord Chief Justice, on a former trial,

had ruled the occasion as privileged, and, even if not, he should submit that the claim as to that was barred by the Statute of Limitations.

DENMAN, J., said he should not consider that point to-night (as to entering judgment) in case the jury should find or the plaintiff on that part of the case. It was not the main part of the case.

The jury retired, and, after an absence of an hour, returned into court, saying they were unable to agree unanimously on the third question, but found "Yes" to the first, and "No" to the second question. After some discussion with his lordship they retired again, to consider the question of actual malice, though his lordship intimated that he thought it was immaterial, being disposed of in the former answer. After a brief absence the jury again returned, and said "No" in answer to the third.

DENMAN, J.—That is a verdict for the defendant, and I give judgment for him.

Melchheimer asked for a stay of execution to move, and

DENMAN, J., granted it, observing that his verdict would have been the same as that now given.—*Times*.

SOCIETIES.

INCORPORATED LAW SOCIETY.

A special meeting of the Incorporated Law Society, for the purpose of taking into consideration the present position of legal procedure, the impending changes in the profession, and other incidental matters, was held at the society's hall on Friday, the 16th inst. The meeting had been convened on the requisition of a large number of the members of the society. About 250 gentlemen attended, and Mr. J. M. CLABON, President, occupied the chair.

The President stated the object of the meeting.

Mr. C. FORD asked whether he might be permitted to put some questions to the president?

The President replied that he was in entire ignorance as to what would be done. Until he came into the room he had not seen the resolutions that were to be submitted to the meeting. He wished to give every possible information in answer to any questions that might be put to him.

Mr. FORD then put the following questions:—(1) Whether the circumstances under which the council sent to and received back from the Legal Procedure Committee certain recommendations, as announced at the time in the *Times* newspaper, are open to any satisfactory explanation, or whether this society must regard the action of the Legal Procedure Committee in the light of an affront on this society? (2) Whether any arrangement has been come to between the council and the benchers with regard to the regulations of the Inns of Court affecting the call of solicitors to the bar? (3) Whether, with reference to the communication of the Attorney-General to the council in regard to certain solicitors, whose names had been scheduled by the Parliamentary Commissioners, the council are aware of any steps in contemplation by the first law officer of the Crown to put a stop to the reckless expenditure of money by barristers and other candidates for parliamentary honours at election times? (4) Whether the council have taken any steps to safeguard the right of solicitors to audience in the Bankruptcy Court when, as provided in the present Government Bankruptcy Bill, such court becomes a branch of the High Court of Justice?

The President replied that (1), with reference to the suggestions made by the council to the Legal Procedure or Costs of Litigation Committee, the matter had been referred by them to the particular committee which they had appointed for the purpose of considering the suggestions, and the result of their deliberations had been forwarded to the Costs of Litigation Committee. This resulted in communications between himself and the Attorney-General, the council, he believed, coming well out of the matter. The suggestions were not accepted by the committee at first, but were sent back to the council, and having been reconsidered, and some of them to which objection had been taken having been struck out, they were returned to and reconsidered by the committee. In his opinion, nothing in the nature of an affront had been intended to the council or the society. The second question concerned a subject which had occupied

the attention of the council very largely. They prepared a Bill with regard to it, and had an interview with the Lord Chancellor early in January, when certain suggestions were made by them, but up to then his lordship had not received any communication from the benchers, and the matter was postponed. They afterwards saw several of the members of the bar, more particularly the treasurers of the four Inns of Court, who, at the suggestion of the council, considered the subject separately and together, and eventually passed a resolution that the period of probation might be reduced from three years to one year—in other words, that solicitors might become barristers on only one instead of three years' terms. This was not considered to be all that was wanted, because there was still the preliminary examination for the bar, and the council requested that the society's preliminary examination should be held to be an equivalent for it. Answers had been received from Lincoln's-inn and the Middle Temple, stating that the matter should receive consideration, and they expected that a similar reply would be received from Gray's-inn. He believed the council would consider this a satisfactory solution of the difficulty. The council knew nothing whatever with respect to the subject of the third question. As regarded the fourth, the council had taken immense trouble with reference to the Bankruptcy Bill, and had appointed a strong committee previous to the commencement of the session. They drew up observations which were sent to the Bankers' Institute, the wholesale dealers, and the provincial law societies, and when their replies were received they were forwarded in a tabular form to the Attorney-General and the Board of Trade. The council also saw Mr. Chamberlain, and had received communications from him. They afterwards considered the Bill, and communicated with the provincial societies. As soon as answers had been received from the societies, the council intended to again communicate with Mr. Chamberlain, and, in the meantime, Mr. Ford's questions would be referred to a committee of the council in order that the subject of the audience of solicitors in the Bankruptcy Court might be carefully considered.

Mr. E. KIMBER remarked that it was not his intention to make an attack upon the council, or to say whether what they had done was right or wrong. The meeting had to consider what was to be done at the present time, and he felt that it was incumbent upon every member of the solicitors' branch of the profession to make a strong stand against a matter which was, in his opinion, unconstitutional and illegal. He thought that when he attacked the Judicature Act every one present would be in accord with him. Great authorities disagreed with respect to it, so it was, at least, not surprising if solicitors did so, and that the public took an erroneous view of their conduct. He drew the attention of the meeting more particularly to the 75th section of the Act, which related to the Council of Judges who were to consider the procedure and administration of justice. The section laid it down that they should assemble once a year to consider the operation of the Act and the Rules of Court, together with the working of the offices and the arrangements relative to the duties of the officers of the courts, and to inquire into any defects which existed in the system of procedure or the administration of the law in the High Court of Justice and the Court of Appeal. They were also to report annually to one of the Secretaries of State as to what amendments it was desirable should be made for the better administration of justice. What was there in existence at the present moment? A Legal Procedure Committee had been appointed, of the object of which the president himself was in doubt, but thought it to be a committee to consider the costs of litigation. This was the first instance in the country's history of the appointment of a committee upon the mere authority of one Minister of State—a departmental committee to govern Legislation and prescribe what should be done with regard to the great profession of the law. Personally, he admired the Lord Chancellor greatly, but in the present instance he had acted, not as a Minister, but as a creature. It was most extraordinary that the judges had never met in council, in accordance with the requirements of the Act, until after the death of the Lord Chief Justice. If those who were appointed to administer the law had not upheld one of the principal sections of the Judicature Act, was it surprising that the general public looked unfavourably on the whole practice and profession of the law? They had done so, as was proved by the calumnies that had been uttered in the *Times*, and

many other newspapers, with regard to the costs of the legal profession, their practice, and their social position. The judges had never met, except for the purpose of abolishing two ancient offices. Why were not the defects of the Act discussed by the judges themselves? It could not be from the want of knowledge as to its requirements, for he had heard one of the judges in the Court of Appeal remark that he knew what a particular rule meant, as he had drawn it himself. Again, a Queen's Counsel, who was a member of Parliament, had told the court that he knew the meaning of the Act, for he was the author of it. Sir William Charley had said in a work he had written that the judges were accustomed to meet together for the purpose of consultation, but such a meeting was unknown in the present day. These meetings were, however, calculated to break down the barrier of prejudice which existed, but which, he was glad to be able to say, was slowly disappearing. That the Lord Chancellor entirely sympathized with the Act a letter which he held in his hand would prove. It was addressed to a solicitor by the secretary to the Lord Chancellor, and stated that his lordship was glad he had no complaint to make against the officers of the Court of Chancery, and that the subject of expense in the Chancery Division of the Supreme Court had for a considerable time occupied his earnest attention, with a view that such changes might be made as would meet the difficulties which arose out of a defective system. It was said that the profession, who were the instruments by which the Act was to be carried out, should be liable to be attacked because of its defects, whilst the judges, and not they, were liable for them. He was of opinion that it might safely be concluded that the Lord Chancellor thought that, although the Council of Judges had not been annually called, yet that it ought to have been, and that there was some difficulty in calling it; also, that when it was called it would be a machine awkward and difficult to set in motion—too heavy and cumbrous for its objects. Therefore it had been thought best to appoint a Committee of Legal Procedure, or a Costs of Litigation Committee. It was, however, a departmental committee, consisting of judges, barristers, and only two solicitors. Neither the solicitor branch of the profession nor the public were properly represented upon it. How was the committee composed? Lord Coleridge was the chairman, Lord Justice James, Mr. Justice Bowen, Mr. J. C. Mathew, Mr. R. T. Reid, all of them either barristers or past-barristers; Mr. Hollams and Mr. C. Harrison, solicitors. Lord Shand, Sir James Hannen, and the Attorney-General, all from the barrister branch, had, in consequence of representations which had been made to the Government, been added to the committee. What could these gentlemen know about the matters which most affected solicitors in their practice? He held in his hand a number of letters of complaints which he had received, and one of them showed that the particular work which could be effected by two attendances when the matter was in the Common Law Division required no less than thirteen attendances if it was in the Chancery Division. The construction of the Rules of Court was in most cases determined from the draftsman's point of view, and from the reading of some of them opposite conclusions might be arrived at from those which would be derived from others. Some of them had required the decision of the Court of Appeal, and of the very judges who had drawn them, which would not have been the case if the practical men of the solicitor branch had been taken into the confidence of the gentlemen who drew them. He could not understand how it was that law and legislation were concluded without consulting the very men who were best able to define the practice affected by the rules to be made. The Council of the Incorporated Law Society were consulted now and then, it was true, and it really was a fact that quite recently they had got no less than thirteen of her Majesty's judges to dine with them, when, no doubt, they had ample opportunities of consultation. But the benchers also dined together on the very same night, and they invited several influential members of Parliament. How were the two entertainments spoken of in the newspapers? That of the benchers was referred to in much higher terms than that of the society. The members of the bar were an important element in the background in the management of the influential newspapers. Their intentions were evident by the articles which appeared in the *Times*. The solicitors were gaining in the esteem of the public, both in

the House of Commons and outside of it, and it became necessary to throw cold water on all that they did. The Legal Procedure Committee itself originated from an article which appeared in the *Times*, followed by letters signed "Lex" and one from a member of the Judicature Commission. It was not at all difficult to define who that gentleman was, from the views to which he had given expression when on the bench. Articles and correspondence followed, the whole press took the matter up, and eventually the Government, after consulting the Lord Chancellor, appointed a departmental committee. The *Times* never after made any allusion to the cost of litigation, but advised the committee to get rid of the many steps necessary to be taken in some of the courts before a case could be decided. The *Times*, at any rate, had at length taken the burden from the shoulders of the solicitors, and he hoped the action of the meeting would result in its being put on the right ones. He would move, "That no Committee on Legal Procedure can have the confidence of the public, or of this branch of the profession, unless both be properly and adequately represented; and this society recommends to her Majesty's Government the appointment of a Royal Commission to inquire into the whole question of economizing, simplifying, and accelerating the process and practice of the law." If they passed this resolution, the public and the press could no longer say the solicitors were opposed to simplification, economy, and swiftness in the practice of the law, or to say that solicitors desired to protract litigation that they might put money in their pockets. The statistics of the High Court of Justice proved that the applications for immediate judgments were extremely numerous, and that this had been the case to a much greater extent than had ever been contemplated by the Judicature Commissioners themselves, which, of itself, would prove that solicitors were in the habit of advising their clients at the earliest possible moment so as to put an end to litigation. It would be said, in opposition to the appointment of the Royal Commission, that one had already been appointed—the Judicature Commission—which had sat several times and had been the cause of the passing of two Acts of Parliament. In reply to that it could be said that grievances were still complained of by the public and that the costs of litigation had not been reduced. Emphatic action must be taken, pending the report of the Legal Procedure Committee, in order to influence the House of Commons and with a view to getting rid of the opprobrium which at present attached to them in the exercise of their profession. Many members of the House of Commons on both sides, to his personal knowledge, were in favour of the solicitor branch as against the bar, and felt the want of the solicitor in framing Acts of Parliament, of the interpretation of eighty per cent. of which they would have the responsibility. The members of the society who occupied seats in the House had made their mark upon the Statute Book on many occasions. He urged the society to put aside antiquated notions of dignity. The reforms of the law must come from the humble, working members of the profession. The members who signed the requisition upon which the meeting had been convened were of the rank and file, and experienced the responsibility of interpreting laws which were not to be administered in London only, but in the provinces, where the flower of the profession practised in the minor courts. If the solicitors were properly represented the public would soon understand that, although the costs of litigation were heavy, they were desirous of diminishing them and also of diminishing litigation, notwithstanding that their costs would necessarily be reduced at the outset. The law could be made more costly, more expeditious, and yet more profitable to the lawyer. Let them carry the motion and prove to the Government that they were not in the rear in public opinion, but were prepared to lead it, and to do so to the entire satisfaction of the nation.

Mr. J. MORE seconded the motion, and objected to the committee as he had a dislike to anything of a secret character, and to being bound to trust implicitly in any persons, however high their station. He thought that neither the solicitors nor the public were sufficiently represented upon it, and thought it would give great confidence to the general public if the name of such a person as Samuel Morley had been placed upon it.

Mr. FORD moved an amendment, "That this society, whilst appreciating the courtesy of the Lord Chancellor in appointing a Legal Procedure Committee, regrets that so few

solicitors were appointed to serve thereon, and especially that neither the president nor vice-president of this society were so appointed." He thought the meeting was much indebted to Mr. Kimber. He was opposed, however, to the resolution, as they had not the report of the committee before them and they could not say whether it would be satisfactory or otherwise. The position of the president for the time being had been duly recognized in the recent Bill for altering the remuneration of solicitors in conveyancing matters. He suggested that Mr. Kimber should withdraw his proposition for the appointment of a Royal Commission, at any rate, for the moment. If they adopted the motion, they might be told that they were acting prematurely and unwisely.

Mr. J. INDERMAUR seconded the amendment. He asserted that far too much attention was paid to the bar and far too little to the solicitors in these matters. There was no need for the public to be represented on a committee of this character. The bar knew very little upon these matters as a rule. It was really the solicitors who were acquainted with the practical working of the law who were best fitted to give an opinion. The motion was far too extensive in its character, but the amendment was a very reasonable one. What did the bar know as to the details of the profession? They knew literally nothing as far as the simplification of the practice was concerned. In ordinary matters, in his opinion, the costs allowed to solicitors were quite inadequate, and the whole system of the conduct of an action might be very much amended. The solicitor branch ought to be so represented that the public might be made to know that they did not desire the increase of expense or the continuation of litigation, because the continuation of litigation was not to their interest. They trusted that they were honest men, and would not continue litigation to the detriment of their clients, but that would work more to the interest of the barrister than of the solicitor, to whose interest it was to simplify litigation and make it as cheap and expeditious as possible. The amendment would prove that the council were not always so active as they might be.

Mr. F. K. MURTON thought that the amendment would more adequately meet the circumstances of the case than the motion. He quite agreed that it was very undesirable that the members of the society should do or say anything that was likely to affect the conduct of the society as a whole, and although it might be said that the council had not so actively looked into the matter as some members might have liked, yet having appointed their representatives, if they complained of them, it should be done rather by way of a recommendation to them to consider it. He was strongly opposed to a motion being passed that looked anything like an attack upon the council. Mr. Justice Bowen had complained, according to a report in the *Times* of that morning, that his time was taken up for several hours in trying a case of tort respecting a very small matter, and the report seemed to allude to the folly of the solicitor in bringing such an action in a superior court. But it was next to impossible after the writ had been issued to take an action for tort which had been commenced in the superior court into a county court. He mentioned a case where the verdict was for £20, and the costs amounted to £96, but it was the Judicature Act that was in fault and not the solicitor.

Mr. W. ROBERTS (Debenham, Suffolk) was quite sure that everybody wished to pass a resolution that would be satisfactory to the general body of the profession, but could not help thinking that the amendment in its present form would be construed by many of them and of the public as a mere wall. Many of the opinions expressed by Mr. Kimber had long been felt by country practitioners. He suggested that Mr. Kimber and Mr. Ford should combine to produce a resolution, and the meeting which had been called for a specific purpose would be productive of great good.

Mr. N. HANBART could see nothing in the resolution attacking the council, and thought they should express an opinion as to the constitution of the committee before the report came out, because, if the committee happened to make some good suggestions, their opportunity would be lost. It was time that the public should be made to understand that their interests were the interests of the solicitors. He held that litigation must always be expensive, as it was the application of expensively trained intellects to the dissection of very small affairs. There ought to be more opportunity by a summary process of getting security for costs. Fewer false claims would then be advanced, and

fewer false defences made, and enormous expense in litigation would be saved. He thought that the simplification of the procedure of the Mayor's Court should engage the attention of any committee now sitting. The time had arrived for energetic action on the part of the solicitor branch, in order that the public might generally know that they had their interests at heart as well as their own.

Mr. A. BEYRUS hoped the motion would be carried for a Royal Commission. He regretted to have to say that it was to the interest of the barristers that solicitors should not be permitted to do the work that they ought to do. The scale of fees for drafts of length and difficulty was so low that they were obliged to send them to counsel to settle, and whilst they were not properly represented on the legal committees, this must continue to be the case. The public had no idea where the costs went to. The costs of an ordinary appeal would amount to £70 or £80, and only some £15, perhaps, would go to the solicitor; but the public did not know this, and would not until the solicitors were more largely represented, and a commission appointed to consider the whole position of solicitors and barristers. The public would get substantial justice when the solicitors had it, but not before.

Mr. EDWIN HUGHES moved the adjournment of the meeting in order that the council might have an opportunity of considering the amendment.

Mr. Low seconded the motion.

Mr. C. A. BETTS thought the appointment of a Royal Commission would only shelve the matter for two or three years, and the motion for the adjournment would delay a question which solicitors had at their very hearts—the opprobrium which had been cast upon them for years past—whilst the amendment expressed regret and did nothing more. The question had been buried again and again, and this meeting proved the interest taken in it by solicitors. The council had not protected them in this or any other matter. (Question.) The taxing masters treated their costs as something to be reduced under any circumstances, and the delays in payment were infinite, whilst no consideration whatever was paid to the interests of the working branch of the profession.

Mr. L. EMANUEL spoke in the highest terms of the wisdom, sagacity, and high-mindedness of the council, but there must be something in the traditions of the place which had the unfortunate effect of enervating them, and these gentlemen for whom individually they had the highest respect, did not do collectively what they would do individually in conducting their own affairs. He felt sure the obnoxious certificate tax would be repealed if Parliament were properly approached, and the question of their relation with the other branch of the profession certainly required amendment. He wished they could meet as they were doing more frequently, and that the council would do more to advance the interests of the solicitors, and with the object of removing the medieval prejudice which was felt against them.

Mr. MORGAN suggested that the first half of the motion should be combined with the amendment, and that the second half of the motion, on which there would be probably some difference of opinion, should be moved separately. He did not concur in the observations which had been made which were detrimental to the council.

Mr. MELVILLE GREEN (Worthing) thought the mode and time of proceeding was just one of those questions which had better be left to the council. Mr. Chamberlain had brought in a Bill dealing with bankruptcy reform, upon which he prided himself that he did not care for the advice of solicitors. At the present time the opinion of solicitors was at a lower point than usual with those in power; there was, therefore, no use in carrying the proposition which was before the meeting. But it would come to pass that any legal reforms which had not the assistance of their knowledge and experience must fail, and it was not for them to take an inopportune moment for protesting when they would be simply supposed to be grumbling.

Mr. T. H. DEVONSHIRE was desirous the meeting should not make a serious mistake. If the council would tell them that they really would give the subject their earnest and prompt consideration, and call them together again, without unreasonable delay, it was their duty and to their interest to adjourn. He was quite sure no one in the room desired to make any serious complaint against the council.

Mr. KIMBER entirely agreed with the amendment; but after what had been said, thought it better to adjourn. He

thought himself as good a judge as Mr. Chamberlain of the way in which public opinion was likely to move, and did not care for his boasting in the House of Commons.

Mr. W. M. WALTERS, speaking as a member of the council, thought that they would like to have an opportunity of consulting with each other, as they had not known the nature of the resolutions to be submitted to the meeting until they entered the hall. He was in accord with much that had been said, but there might be other questions which it was necessary to consider. They might all assent to the principle involved in the resolutions, but they ought not to be so placed that they would be compelled to do something which would injure the responsible position they occupied. The council were at present in amicable consultation with Lord Coleridge and other authorities, and they must be cautious. The effect of the discussion would doubtless be beneficial, but if the conclusions they were to arrive at were postponed for a fortnight it would have all the necessary effect. He hoped they would not determine upon anything that day which would look as if they were offended because the president was not on the committee, and that they were showing their spite by endeavouring to throw discredit on the committee.

Mr. GRINHAM KEEN, also a member of the council, said that large committees of the society were always formed whenever important questions were to be considered, as was the case when the charter of the society was altered, and when Lord Selborne's School of Law Bill was before Parliament, and these committees rendered great assistance to the council. The suggestions of the members would always receive every consideration at the hands of the council, as had been the case with regard to the suggestions of the committees he had mentioned, which he thought were in every case adopted. If the members of the society and the members of the council worked together in the same direction, and aiding each other, a great deal of good would result.

The PRESIDENT observed that he felt his position a very peculiar one. He had the honour to be the president of the society, and as such he occupied the chair, and not merely as president of the council. At the same time, the meeting would readily imagine that for the last nine or ten months the functions of the president of the council had not been slight. He was the executive of the council, and had to carry into effect the determinations of the council; and at the present moment he was necessarily, perhaps, better acquainted than any one present with the difficulties that were in the way, and he hoped he might venture to say, with what would be best for the profession at large. He trusted they would give him the credit that, being in this anomalous position, he intended what he said for the benefit of the whole of the profession, and not of the society alone, and as the representative of both. And he said, honestly and sincerely, that they had better not pass any resolution that day. Mr. Green had supposed that Mr. Chamberlain had said something which he did not say. The Bankruptcy Bill was founded almost entirely on the suggestions of the council, and it was quite a mistake to suppose that he had ever said anything disrespectful concerning them. There never was a period in the history of the society when they had more influence than at the present moment. If this resolution were passed the members would put themselves in antagonism with the council. He had said they had great influence, and were represented on the Costs of Litigation Committee; but if they were to recommend a Royal Commission, on the ground substantially that they were not sufficiently represented upon it, they would be doing much harm. The meeting objected that it was a secret committee. All committees must be secret. They did not publish what they had resolved upon until they had made their report. When the Judicature Committee sat the council had only two members upon it. If it had sat twenty years since they would have had none. Why should the president of the society be on the committee? He was a conveyancing man, and they had upon it one of the most competent members of the council in Mr. Hollams, and an eminent solicitor in Mr. Harrison. He would perhaps have liked three or four solicitors on the committee; but, as things went, he thought that was as many as they could fairly ask for. Therefore he did not like that a resolution should be passed asking for a Royal Commission. He thought it

would injure them with the Chancellor and with the Government, and lessen the influence they undoubtedly possessed at the present time. (Cries of "Adjourn.") He would advise them not to adjourn. The annual meeting would shortly be held, and if in the meantime the council had not done what the members thought they ought to have done, let them say so. But do not let them do anything to lessen the just influence which they had exercised.

Mr. HUGHES advised the adjournment, that the council might have an opportunity for discussion. He would go with them in everything, except delay.

The motion to adjourn the meeting for a fortnight was carried.

On the motion of Mr. KIMBER, a vote of thanks was passed to the president, and the proceedings terminated.

LAW STUDENTS' JOURNAL.

LAW STUDENTS' DEBATING SOCIETY.

Tuesday, May 10.—Mr. Bartlett in the chair.—Mr. C. P. Fielder was elected a member. The adjourned debate upon the question, "Are the Government proposals as to Irish land reform satisfactory?" was resumed. The discussion was continued by Messrs. Lloyd Jones, Green, Ellis, Beddoes, Kains-Jackson, W. F. Barry, and Napier; and the question on being put to the meeting was decided in the negative by a majority of three votes. The debate for next Tuesday, the 17th inst., will be upon the question, "That the policy of the Government in South African affairs has not been worthy of approval."

UNITED LAW STUDENTS' SOCIETY.

A meeting of this society was held on Wednesday, the 9th inst., at the Law Institution, Mr. D'A. B. Collyer in the chair, when the following question was discussed:—"Does the word 'children' in the statute 22 & 23 Car. 2, c. 10, include only children legitimate according to English law, or does it also include children legitimate according to the law of the country where they are domiciled, but illegitimate according to English law?" Mr. Parker opened the discussion, and argued that the word "children" included only children legitimate according to English law. He was supported by Messrs. Dale, Hart, Samuel, and S. A. Jones, and opposed by Messrs. Gatey, Jenks, and Bartrum. The opener replied, and after the chairman had summed up, the question was decided in favour of construing the word "children" so as to include only children legitimate according to English law, by a majority of four votes.

BIRMINGHAM LAW STUDENTS' SOCIETY.

A meeting of the above society was held on Tuesday last at the Law Library, Bennett's-hill, Birmingham, when T. Martineau, Esq., took the chair, and the following moot point was discussed:—"A. alights at the door of an inn, leaving his servant in charge of his horse and trap, with instructions not to move away. The servant, contrary to such instructions, drives up and down the road, and in so doing negligently causes injury to B. Is A. liable for the injury so caused by his servant?" The speakers on the affirmative were Messrs. Vince, G. T. Edwards, Shute, Rowlands, Platnauer, Ryland, and Ludlow. The speakers on the negative were Messrs. Corbett, Huggins, Swinson, and Smith. After an address from the chairman, the question was put to the meeting, and carried in the affirmative by a large majority. A vote of thanks to the chairman concluded the meeting.

NEW ORDERS.

HOUSE OF COMMONS.

NEW STANDING ORDER.

The following Standing Order was agreed to on the 10th of March:—"The municipal or other local authority of

any town or district alleging in their petition that such town or district may be injuriously affected by the provisions of any Bill relating to the lighting or water supply thereof, or the raising of capital for any such purpose, shall be entitled to be heard against such Bill."

LEGAL APPOINTMENTS.

Mr. JUSTICE KAY has received the honour of Knighthood.

Mr. RICHARD BULLOCK ANDREWS, Q.C., has been appointed a Puisne Judge of the Supreme Court of the Colony of South Australia. Mr. Justice Andrews was called to the bar at Adelaide in 1857. He was created a Queen's Counsel for the colony in 1865, and he has held the office of Attorney-General. He has been Crown Solicitor and Public Prosecutor since 1870.

Mr. ARTHUR JOSEPH ELLIS, solicitor, of Maidstone, has been appointed Clerk to the Maidstone Burial Board. Mr. Ellis was admitted a solicitor in 1878.

Mr. ERNEST HEPBURN, solicitor, of Haslemere, has been appointed a Commissioner to administer Oaths in the Supreme Court of Judicature.

Mr. GRIFFITH JONES, solicitor, of Aberystwith, has been appointed a Perpetual Commissioner for Cardiganshire, for taking the Acknowledgments of Deeds by Married Women.

Mr. W. R. A. KIME, Solicitor, of 49, Bedford-row, W.C., has been appointed a Perpetual Commissioner in and for the County of Middlesex and the Cities of London and Westminster. Mr. Kime was admitted in Easter Term, 1875.

Mr. ALFRED BRAY KEMPE, barrister, has been appointed Secretary to the Royal Commission on the Ecclesiastical Courts. Mr. Kempe is the son of the Rev. John Edward Kempe, rector of St. James's, Piccadilly. He was educated at St. Paul's School, and he was formally scholar of Trinity College, Cambridge, where he graduated as a wrangler in 1872. He was called to the bar at the Inner Temple in Michaelmas Term, 1873. Mr. Kempe is a member of the Western Circuit, and he was formerly one of the staff of the WEEKLY REPORTER.

Mr. CHARLES HENRY LEEMING, solicitor, of Halifax, has been appointed a Commissioner for taking Bail and Affidavits in the Supreme Court of the Colony of Queensland.

Mr. ALEXANDER CAMPBELL ONSLOW, Attorney-General of West Australia, has been appointed to act as Chief Justice of that colony. Mr. Onslow was called to the bar at the Inner Temple in Michaelmas Term, 1868. He was for several years Attorney-General of British Honduras, and he was appointed Attorney-General of West Australia about a year ago.

Mr. THOMAS CHARLES SCANLEN, who has been appointed Prime Minister and Attorney-General for the Cape Colony, practises as a solicitor at Cape Town, and is a member of the Colonial House of Assembly.

Mr. FRANCIS SUMMERS, solicitor, of Hall and Grimsby, has been elected an Alderman for the Borough of Kingston-upon-Hull. Mr. Summers was admitted a solicitor in 1857.

COMPANIES.

WINDING-UP⁸ NOTICES. JOINT STOCK COMPANIES.

LIMITED IN CHANCERY.

BIRMINGHAM AND MIDLAND COUNTIES LAND AND INVESTMENT ASSOCIATION, LIMITED.—Petition for winding up, presented May 3, directed to be heard before the M.R. on May 14. Robinson and Co, Lincoln's Inn fields, solicitor for the petitioner

BIRMINGHAM BREWING, MALTING, AND DISTILLING COMPANY, LIMITED.—Creditors are required, on or before June 15, to send their names and addresses, and the particulars of their debts or claims, to John Percival, Colmore row, Birmingham, and Edwin Hooper, Harborne, Stafford. June 30 at 3 is appointed for hearing and adjudicating upon the debts and claims

CARRIAGE CO-OPERATIVE SUPPLY ASSOCIATION, LIMITED.—The M.R. has fixed May 16 at 11 at his chambers for the appointment of an official liquidator

OAKHAM COLLIERIES COMPANY, LIMITED.—Creditors are required on or before June 3, to send their names and addresses and the particulars of their debts or claims, to Charles Frederick Finney, 12, St George's crescent, Liverpool. June 17 at 11 is appointed for hearing and adjudicating upon the debts and claims

[Gazette, May 6.]

ANGLO-VIRGINIAN FREEHOLD LAND COMPANY, LIMITED.—Petition for winding up, presented May 6, directed to be heard before Hall, V.C., on May 20. Rooke and Sons, Lincoln's Inn fields, solicitors for the petitioners

CLEDDAU VALLEY SLATE QUARRIES COMPANY, LIMITED.—By an order made by the M.R., dated Apr 30, it was ordered that the company be wound up. Andrew and Co, Great James st, Bedford row, solicitors for the petitioners

CLIVIGER COTTON SHED COMPANY, LIMITED.—Petition for winding up, presented May 7, directed to be heard before the M.R. on May 21. Milne and Co, Harcourt bdgs, agents for Creeke and Sandy, Burnley, solicitors for the petitioner

GAERWEN SLATE QUARRY COMPANY, LIMITED.—Petition for winding up, presented May 7, directed to be heard before Hall, V.C., on May 20. Hepburn and Co, Bird-in-Hand ct, Cheapside, solicitor for the petitioner

LEANDREDDO WELLS FREEHOLD LAND AND BUILDING COMPANY, LIMITED.—Petition for winding up, presented May 6, directed to be heard before Hall, V.C., on May 20. Vanderpump, Gray's Inn sq, solicitor for the petitioner

MANCHESTER VAL DE TRAYERS PAVING COMPANY, LIMITED.—Petition for the compulsory winding up or for the present voluntary winding up to be continued, presented May 9, directed to be heard before the M.R. on May 20. Bolton and Co, Lincoln's Inn fields, agents for Symonds, Manchester, solicitor for the petitioner

NEW VICTORIA SALT COMPANY, LIMITED.—By an order made by Bacon, V.C., dated Apr 30, it was ordered that the voluntary winding up of the company be continued. Hollams and Co, Mincing lane, solicitors for the petitioner

PENARTE IRON AND STEEL COMPANY, LIMITED.—Petition for winding up, presented May 9, directed to be heard before Fry, J., on May 20. Marsland, St Swithin's lane, agent for Addleshaw and Warburton, Manchester, solicitors for the petitioner

THORP'S GAWBER HALL COLLIERIES, LIMITED.—Hall, V.C., has by an order, dated May 6, appointed Thomas Young Strachan, Newcastle upon Tyne, to be official liquidator

TRAMWAY STARTING AND STOPPING COMPANY, LIMITED.—Petition for winding up, presented May 5, directed to be heard before the M.R. on May 21. Randall and Angier, Gray's Inn pl, petitioners in person

WESTERN DISTRICT CO-OPERATIVE SOCIETY, LIMITED.—By an order made by Hall, V.C., dated Apr 29 it was ordered that the society be wound up. Finch, Borough High st, solicitor for the petitioner

Gazette, May 10.]

UNLIMITED IN CHANCERY.

OLDFIELD-ROAD LOAN SOCIETY.—The M.R. has by an order, dated Apr 12, appointed George Alfred Packwood, 28, Hampson st, Salford to be official liquidator

[Gazette, May 6.]

PATENT COMPOSITE FIRE LIGHT COMPANY.—Petition for winding up presented May 7, directed to be heard before the V.C. on May 20. Bradley, Mark lane, solicitor for the petitioner

[Gazette, May 10.]

COUNTY PALATINE OF LANCASTER.

WELL AND GALLOWAY, LIMITED.—Petition for the continuing of the voluntary winding up, presented May 4, directed to be heard before the V.C. on May 14, at St George's Hall, Liverpool. Bateson and Co, Liverpool, solicitors for the petitioners

[Gazette, May 9.]

FRIENDLY SOCIETIES DISSOLVED.

ALFRETON AND DISTRICT LAND INVESTMENT SOCIETY, LIMITED. Local Board Office, Alfreton, Derby. May 4

CO-OPERATIVE PRODUCTIVE MANUFACTURING SOCIETY, LIMITED, Albert st, Newton Heath, Lancaster. Apr 28

COURT BANKS OF THE WHARFE, Race Horses Inn, Kettlewell, York. May 4

SISTERS' UNITED TEMPLARS' MUTUAL BENEFIT SOCIETY, Mission-room, Mill st, Toxteth park, Liverpool. May 2

WIDOWS' AND ORPHANS' INSTITUTION, Manchester Order of Odd Fellows, Commercial chbrs, Temple st, Birmingham. Apr 30

[Gazette, May 6.]

OBITUARY.

MR. GEORGE BROOKE NELSON.

Mr. George Brooke Nelson, solicitor, registrar of the Dewsbury County Court, died at his residence, Denison Hall, Leeds, on the 5th inst., from an attack of apoplexy. Mr. Nelson was born at Nottingham in 1804. He was admitted a solicitor in 1828, and he soon afterwards went into partnership with Mr. Hemingway, of Leeds, to whom he had been articled. The partnership was dissolved in 1839, and about seventeen years later Mr. Nelson was joined by the late Mr. John Bulmer, and more recently his son, Mr. George Hind Nelson, who was admitted a solicitor in 1858, and is steward of the Manor of Hunslet, became a member of the firm. Mr. Nelson was a perpetual commissioner for the

West Riding of Yorkshire, and he had a very extensive private practice. He was for many years steward of the Honour of Pontefract, and after the passing of the first County Courts Act he became clerk to the Leeds, Dewsbury, Pontefract, and Wakefield County Courts. About ten years later the duties of the office were divided, and he became registrar of the Dewsbury County Court (Circuit No. 12), which office he held until his death. Mr. Charles Arthur Tennant having been latterly associated with him as junior registrar. He was also district registrar for Dewsbury under the Judicature Acts. Mr. Nelson was an active member of the local Conservative party, and had acted as registration and election agent both in the borough of Leeds and in the West Riding. He was one of the patrons of the Vicarage of Leeds and one of the Trustees of Pious Uses, and he was a liberal supporter of the Leeds Church Extension Society. He leaves a widow, two sons, and two daughters. Mr. Nelson was buried at St. Mark's, Woodhouse, on the 10th inst.

SIR ROBERT BOWCHER CLARKE, C.B.

Sir Robert Bowcher Clarke, C.B., many years Chief Justice of Barbadoes, died at his residence, Eldridge, Chislehurst, on the 9th inst., in his seventy-ninth year. The deceased was the eldest son of the late Mr. Robert Bowcher Clarke, of Eldridge, Barbadoes, and was born in 1802. He was an LL.B. of Trinity College, Cambridge, and he was called to the bar at the Inner Temple in Hilary Term, 1827. He was for several years Speaker of the House of Assembly of Barbadoes, and he was Solicitor-General of the colony from 1842 till 1848, when he was appointed Chief Justice, and he held that post till 1874, when he retired on a pension. From 1849 till 1859 he was also Chief Justice of the Island of St. Lucia. In 1840 he received the honour of knighthood in recognition of his services in the cause of slave emancipation, and in 1848 he was created a Civil Companion of the Order of the Bath. Sir R. Clarke was married in 1829 to the youngest daughter of the late Mr. John Spooner, of Barbadoes.

CREDITORS' CLAIMS.

CREDITORS UNDER ESTATES IN CHANCERY. LAST DAY OF PROOF.

ALMOND, MARY, Bolton, Lancaster. May 28. Barnes v Morris, M.R. Hulton, Bolton
DAVIDOFF, ADELE, South st, Piccadilly. May 28. Ford v Goldsmid, M.R. Arnold and Co, Carey st, Lincoln's inn
FORD, GEORGE, Gt Marlborough st, Publican. June 1. Wallis v Reynolds, V.C. Hall. James, Fleet st
HAND, SELINA MIDDLEMORE, Bradford, York, Boot and Shoe Maker. May 28. Cooper v Hill, V.C. Bacon. Mumford, Bradford
MCLEAN, JOHN ROBINSON, Park st, Civil Engineer. June 1. Bidder v McLean, M.R. Hargrove, Victoria st, Westminster Abbey
BENNYSON, GEORGE GIBSON, Flamborough, York Farmer. May 31. Kingston v Greenley, M.R. Harland, Bridlington
CORY, THOMAS, South Shields, Publican. June 14. Gibbons v Wilson, V.C. Hall. Mahane and Graham, South Shields
DYSON, GEORGE WILLIAM, Stoke Poges, Bucks. Esq. June 6. Winnett v Dyson, Fry, J. Hughes, Bedford st, Covent Garden
FOWLER, WILLIAM, Cardiff, Coal Merchant. June 15. Alexander v Fowler, V.C. Hall. Morris and Son, Cardiff
GREENE, ELEANORA, Shaldon, Devon. June 3. Oldrieve v Greene, V.C. Hall. Edmonds and Son, Totnes
ORLICH, MARY EUPHEMIA VON, Slough. June 10. De Berends v Murdoch, V.C. Hall. Hore, Lincoln's inn fields
PALMER, ROBERT, Minster, Kent, Farmer. May 31. Copland v Palmer, V.C. Hall. Winch, Lancaster pl, Strand
STANFORTH, GEORGE, Crowle, Lincoln, Farmer. May 30. Bell v Stanforth, M.R. Parkin, Doncaster

[Gazette, May 8.]

CREDITORS UNDER 22 & 23 VICT. CAP. 25. LAST DAY OF CLAIM.

BANKS, ISABELLA RHODA, Claremont villas, Thornton Heath. May 14. Hudson and Co, Bucklersbury
BEXTON, MARY, Bulwell, Nottingham. May 28. Hunt and Williams, Nottingham
BOOTH, GEORGE, Huddersfield, Iron Merchant. May 26. Moseley, Huddersfield
BRATLEY, JOHN, Gedney, Lincoln, Farmer. June 1. Harrison, Bermundsey st
CARTEE, ERNEST TILSON SHAKN, Watlington pk, Oxford, Assistant Commissary Her Majesty's Army Service Corps. June 21. Poole and Co, Chancery lane

CHICHESTER, SIR ALEXANDER PALMER BRUCE, Bart, Arlington ct, Devon. June 30. Few and Co, Surrey st, Strand
CLARKE, CHARLES JAMES, Shirley, Southampton, Gent. May 23. Pearce and Co, Southampton
CURTIS, ELLEN, Burton Salmon, York. May 31. Clark, Smith
ESDAILE, EDWARD JEFFRIES, Taunton, Somerset, Esq. May 19. Foster, Wells
FOORD, JOHN BROMLEY, Bexley Heath, Esq. June 8. Ford and Co, Bloomsbury sq
GER, WILLIAM HENRY, Wilford, Nottingham, Gent. June 1. Richards and Woodward, Nottingham
GIBSON, ELIZABETH, Miles' Asylum, Hoxton. May 31. Walker and Co, Theobald's rd, Gray's inn
GUY, WALTER, Charlotte st, Buckingham Palace rd, Licensed Victualler. May 30. Pownall and Co, Staple inn
HARDEAN, ANN, James st, Westbourne terrace. Johnsons and Co, Austin friars
HOBSON, RICHARD, Leeds. July 6. Crumby, York
HUTTON, JAMES, Calverley, York, Retired Draper. May 23. Morgan and Morgan, Shipley
KNIGHT, JOHN, Ivegill, Cumberland, Yeoman. May 14. Bendle, Carlisle
LE BRETON, FRANCIS, Crosby sq, Esq. June 30. Minet and Co, New Broad st
LIDDELL, HENRY, Longbenton, Northumberland, Esq. May 31. Dees and Thompson, Newcastle upon Tyne
LUCAS, CHARLES ROSE, Clifton, Bristol, Esq. May 26. Meredith and Co, New sq, Lincoln's inn
MARSHALL, JOHN WILLIAM, St George's road, Eccleston sq. June 1. Parker, Barnard Castle
REED, SIR CHARLES, Funn st, Aldersgate st, Knight, M.P. June 13. Shepherd and Sons, Finsbury circus
RENDICK, WILLIAM, Great Baraugh, York, Farmer. May 14. Jackson, Malton
ROBERTS, MARTHA, Green st, Grosvenor sq. May 21. Domville and Co, New sq, Lincoln's inn
ROWLANDSON, THOMAS, Grayrigg, Westmorland, Publican. May 20. Little and Lamsonby, Penrith
RUTHERFORD, THOMAS BUNYAN, Hothfield, Kent, Land Steward. June 30. Norwood, Ashford
SEELEY, MARTHA, Eisleigh rd, Wandsworth. June 4. Curtis and Betts, South sq, Gray's inn
THORN, THOMAS, New Windsor, Berks, Farmer. May 23. Cave, Bracknell
TILL, WILLIAM, Barnsley, York, Outfitter. June 1. Dibb and Co, Barnsley
VAVASOUR, MARY ANN, Clifton, Gloucester. June 1. Smith and Mammatt, Ashby-de-la-Zouch
WATERMAN, HENRY, Ampton, Suffolk, Farming Bailiff. June 9. Westthrop, Ipswich

[Gazette, Apr. 29.]

LEGISLATION OF THE WEEK.

HOUSE OF LORDS.

MAY 5.—BILL READ A SECOND TIME.
PRIVATE BILL.—London and Blackwall Railway.

BILL READ A THIRD TIME.
Sea Fisheries (Clam and Bait Beds).

MAY 6.—BILLS READ A THIRD TIME.
PRIVATE BILLS.—Witham Drainage, Westgate and Birchington Gas, Great Western and East Norfolk Railway.

MAY 10.—BILL READ A SECOND TIME.
Inland Revenue Buildings.

HOUSE OF COMMONS.

MAY 5.—BILL READ A SECOND TIME.
India Office Auditor (Superannuations).

BILL IN COMMITTEE.
Bridges (South Wales).

BILL READ A THIRD TIME.
PRIVATE BILL.—Cheltenham Corporation Water.

MAY 9.—BILL READ A THIRD TIME.
PRIVATE BILL.—Great Northern Railway.

MAY 10.—BILLS READ A THIRD TIME.
PRIVATE BILLS.—Byker Bridge (Newcastle-upon-Tyne), Skipton and Kettlewell Railway (Extension to Ayegarth).

MAY 11.—BILL READ A SECOND TIME.
Newspapers (Law of Libel).

At the Liverpool Assizes on Monday, in the Crown Court, Mr. Justice Mathew, in charging the grand jury, touched upon the question of the reform of the criminal law with reference to an appeal to a superior court in cases in which the prisoner might deem the sentence he received to be too severe. An appeal to the Court of Criminal Appeal, his lordship said, would inevitably result in the court laying down regulations for the amount of punishment to be inflicted which would be a guide to all who administered the criminal law throughout the country.

COURT PAPERS.

SUPREME COURT OF JUDICATURE.

ROTA OF REGISTRARS IN ATTENDANCE ON

Date.	COURT OF APPEAL.	MASTER OF THE ROLLS.	V. C. BACON.
Monday, May 16	Mr. Latham	Mr. King	Mr. Koe
Tuesday..... 17	Leach	Merivale	Clowes
Wednesday.... 18	Latham	King	Koe
Thursday..... 19	Leach	Merivale	Clowes
Friday..... 20	Latham	King	Koe
Saturday..... 21	Leach	Merivale	Clowes

V. C. HALL.	Mr. Justice Fx.	Mr. Justice Kay.
Monday, May 16	Mr. Pemberton	Mr. Jackson
Tuesday..... 17	Ward	Cobby
Wednesday.... 18	Pemberton	Jackson
Thursday..... 19	Ward	Cobby
Friday..... 20	Pemberton	Jackson
Saturday..... 21	Ward	Cobby

QUEEN'S BENCH DIVISION.

MIDDLESEX.—EASTER SITTING, 1881.

LIST OF ACTIONS FOR TRIAL.

(Continued from page 515.)

- 122 Corbet (A Cayley) v Baldock (C O Humphreys and Son) SJ
 123 Pilbrow (S F Langham) v Golding (C Harcourt) SJ
 124 Belsey (In Person) v Wilks (White, B and Co)
 125 Crocker (W B Abbott) v The Metropolitan Ry Co (Burchells) SJ
 126 Millisch (In Person) v Selim (In Person)
 127 Hooper and Wife (Bordman and Co) v Burden (W J Foster)
 128 Acworth (K Peck) v Heistead and anr (Stibbard, G and Co, C Barfield)
 129 Tindall and anr (W F Stokes) v Severn (E W Owles)
 130 Shirley (Noon and C) v Abbott and anr (Taylor and J)
 131 Griffin (Richardson and S) v Johns and ors (J and H M Yetts) SJ
 132 Same (Same) v Nicholls and ors (Same) SJ
 133 Harrison (E W Owles) v Fraser (J Scaife)
 134 Reid (Terrell and H) v South Eastern Railway Co (W R Stevens) SJ
 135 Gunner and anr (Wilkinson and H) v Benjamin (J Davis)
 136 Mingay (Pearpoint and B) v Monat (Bockett and Son) SJ
 137 Coulstring (Crowder, A and V) v Greville (Blaxams and E) SJ
 138 Waterer (C F Emmott) v Hawkins (H Lane)
 139 Nye (Anderson and Sons) v Nicholson (G Reader)
 140 Steel (A S Jonas) v Webber and Co (T H Strangways)
 141 Seaman (A Haynes) v Smith (Bolton, R and B)
 142 Fyfe (Howard and Co) v McDonald (Hutton and W)
 143 Blake (T R Apps) v Holmes (Kingsford, D and Co)
 144 Smith (H Wickens) v Denton otherwise Cardew (Lumley and L)
 145 Coombe and Wife (T Johnson) v Moore (Bolton and M)
 146 Heaven (H Wickens) v Denton otherwise Cardew (Lumley and L)
 147 Hall and anr (Eardley, Holt and R) v Conron and Adams (Letts Bros)
 148 Weldon (H Levy) v Thompson, trading, &c (G C Winkworth)
 149 Jenkins (E Kennedy) v Dart (J Murray)
 150 Barrow (Merriman, P and M) v Smith (Ridsdale, C and Co) SJ
 151 Consolidated Credit and Mortgage Corporation Ltd (G J and P Vanderpump) v Fieldus (Venn and Wood)
 152 Bettyes (R H Ward) v Blinberg (Moresby-White and Co)
 153 Rigglesworth (G A Stewart) v Cronmire (Stones, M and S)
 154 Hussey (C Casquet) v Dennaan (A P Judge)
 155 Partridge (R H Harris) v Wootnam (Neish and H) SJ
 156 Waddingham (H J Child and Son) v Mattock (Bolton and M)
 157 Pryce (Kaye and Jones) v Glasspool (M Webb and Son)
 158 The Great Britain Mutual Life Assurance Society (Prideaux and Sons) v Wright (Smith and Wilmer) SJ
 159 Graham (J F Raw) v Brinton (A J Day)
 160 Cook (Philbrick and C) v Cochrane (J I Irving) SJ
 161 Boshier (G L P Eyre and Co) v Baroni (H Smith)
 162 Bewicke (G E Kaye and Co) v Graham (Prior and Co) SJ
 163 O'Reilly (F G Gorton) v Leuchars (Bower and Co)
 164 Smith (Rexworthy, O and Co) v Lavington, Bros (Tatham, O and N)
 165 Kite (B H Van Tromp) v Smith (V J Chamberlain) SJ
 166 Angell (H F Kite) v White and anr (H W Christmas)
 167 Pellottier and Wife (Walls, A and M) v Metropolitan Ry Co (Burchells) SJ
 168 Kaye (In Person) v Barrett (A L Antill)
 169 Stark and anr (W B Palmer) v Smart (E S Carr)
 170 Swann (W Mackell) v Higdon (Silverster and Co)
 171 Biggs and Co (J Best) v Dawson (Greenfield and A)
 172 Lampard (Boxall and B) v Hill (E Doyle and Sons)
 173 Neill (H Aird) v Union Lighterage Co Ltd (Renshaw and R) SJ
 174 Youngers (C W Francis) v Peck (H H Ede)
 175 Tidman and Wife (R Chapman) v L General Omnibus Co (Harries, W and R) SJ
 176 Newton, Jenkins and Co (C O Newman) v Sanders Bros (F W Mount)
 177 Beckingsale (W T Elliott) v Waterhouse (Jenkinson and O)
 178 Driver (Evans and P) v Westall (In Person)
 179 Hayward (Flower and N) v Hastie (J Gray)
 180 Newman (Clarkson, G and W) v Graham and ors (Lowless and Co)
 181 Bathyanay (Deacon, Son and G) v Bouch (Norris, A and Co) SJ
 182 Bruton (Edwards and Son) v Birch (F G Gorton)

- 183 Solomon (A S Jonas) v Bitton (A A Silberberg)
 184 Stephenson (Kisch, Son and H) v Higgins (S Price)
 185 Schüsselle and anr (J G Shearman) v Zoebeli and anr (Dod and L) SJ
 186 Prudential Assurance Co (Hanhart and G) v Sabin (Baradford and F) without jury
 187 Phillips and Wife (Noon and C) v Geneste and Wife (J Rae)
 188 Anderson and ors (Nash and F) v Davis and anr (Tilleard, G and H)
 189 Humber (R Ballard) v Norwood (Middlesex) Waterworks Co Ltd (J L G Powell) SJ
 190 Furness (Stones, M and S) v Turner and anr (J Bowen May)
 191 Wilson (Kingsford, D and Co) v Strugnell (Gregory and Co)
 192 Kempf (J P Musgrave) v Morton, Rose and Co (Bischoff, B B and Co) Commr
 193 Smyth (G S and H Brandon) v Wingrove (Woodward and Mc L)
 194 Tyler (W O Jones) v Smith (W O Reader)
 195 Wright (A S Jonas) v Cioognani and Co (Lindus and B)
 196 Mason (G B Howard) v Aird (In Person) SJ
 197 Gardiner (J H Lamb) v Bramble (J Perry)
 198 Baldwin (Sandon, K and K) v Sams (Freston and Co)
 199 Crawley (J H Lamb) v Harwood (Tidy and T)
 200 Renton and Co (T R Apps) v Cullum and anr (W Beck)
 201 Hartmont (Lumley and L) v Foster (Darley and C)
 202 Cook and anr (W Maynard) v Dunlop (J R Bailey)
 (To be continued.)

SALES OF ENSUING WEEK.

- May 17.—Mr. S. WALKER, at 12 for 1 p.m., Freehold Property (see advertisement this week, p. 6).
 May 18.—Mr. ARTHUR JACKSON, at the Mart, at 2 p.m. Leasehold Properties (see advertisement, May 7, p. 3).

BIRTHS, MARRIAGES, AND DEATHS.

BIRTHS.

- BURRIDGE.—May 7, at Wellington, Somerset, the wife of William Burridge, jun., solicitor, of a son.
 GREENWOOD.—May 7, at Thornton House, Muswell-hill, the wife of Harry Greenwood, of Lincoln's-inn, barrister-at-law, of a son.

MARRIAGE.

- MACKENZIE—DONOVAN.—May 7, at Framfield, Henry Gordon Mackenzie, barrister-at-law, Inner Temple, to Beatrice Kathleen, daughter of Alexander Donovan, of Framfield-place, Sussex.

DEATHS.

- FULFORD.—May 8, at 89, Queen's-gate, Cecil Mark Fulford, barrister-at-law, aged 40.
 HALE.—May 4, at The Grove, Walsham-le-Willows, Suffolk, Joseph John Frost Hale, barrister-at-law, aged 38.

LONDON GAZETTES.

BANKRUPTS.

FRIDAY, May 6, 1881.

Under the Bankruptcy Act, 1869.

Creditors must forward their proofs of debts to the Registrar.

- To Surrender in London.
 Butlin, William Thomas, Railton rd, Heme hill, Draper. Pet May 3. Murray. May 20 at 11
 Dudley, Thomas, Pall Mall, Architect. Pet May 4. Brougham, May 24 at 12
 Halberstamm, Ernst, Joseph Segalla, and Adolphe Segalla, Palmerston bldgs, Old Broad st, and 37, Swaine st, Bradford. Merchants. Pet May 3. Murray. May 17 at 11.30
 Hough, George, Bishopsgate Within, Master Mariner. Pet May 4. Brougham. May 24 at 11
 Turner, Walter, George st, Portman sq, no occupation. Pet May 2. Pepsys. May 18 at 12.30
 To Surrender in the Country.
 Francis, John Roderick, Dowla's, Glamorgan, Builder. Pet May 2. Lewis. Merthyr Tydfil, May 16 at 12
 Jones, Thomas, Dukinfield, Chester, out of business. Pet May 19. Hall. Ashton-under-Lyne, May 19 at 12
 Lightbown, James, Accrington, Lancaster, Stonemason. Pet May 4. Bolton. Blackburn, May 18 at 11
 McKiever, Mary Jane, Fishponds, Gloucester, Draper. Pet May 2. Harley. Bristol, May 23 at 2
 Potts, John, Consett, Durham, Tailor. Pet May 4. Ingledew. Newcastle, May 19 at 11
 Stoddart, Herbert Randall, Sutton Coldfield, Warwick, Solicitor's Clerk. Pet May 3. Cole. Birmingham, May 26 at 2
 Swire, Roger Mowbray, Manchester, Coal Agent. Pet May 2. Lister. Manchester, May 23 at 12

TUESDAY, May 10, 1881.

To Surrender in London.

- Samuels, C.—, Upland rd, East Dulwich, Builder. Pet May 6. Pepsys. May 25 at 11.30
 Sheen, William, Killingford rd, Hackney, Boot Manufacturer. Pet May 8. Hazlitt. May 25 at 11
 Webb, Edward Harvey, Aldridge rd villas, Westbourne Park, Captain, H.M.'s Native Infantry. Pet May 6. Pepsys. May 25 at 11

To Surrender in the Country.

Brook, Thomas Alma, Leeds, Stock Broker, Pet May 4. Cautherley. Leeds, May 25 at 11
 Coleman, John, Barrington, Cambridge, Miller. Pet May 5. Eaden. Cambridge, May 21 at 12
 Jackson, Samuel, Bradford, York, Builder. Pet May 6. Lee. Bradford, May 24 at 12
 Jeffries, Robert, Ormskirk, Lancaster, Cattle Salesman. Pet May 6. Belthinger. Liverpool, May 23 at 12
 Marshall, George, Stanton Drew, Somerset Farmer. Pet May 6. Foster. Wells, May 23 at 1
 Parker, Thomas, jun, Worcester, Postmaster. Pet May 6. Beale. Worcester, May 26 at 10.30
 Tomlinson, John, Goulceby, Lincoln, Farmer. Pet May 6. Uppley. Lincoln, May 21 at 10

BANKRUPTCIES ANNULLED.

TUESDAY, May 10, 1881.

Cooper, James Cathbert, Newcastle-on-Tyne, Chemical Merchant. May 6
 Edwards, George Clayton, Newgate st, Auctioneer. May 7
 Isdahl, Michael Ludwig, Swansea, Shipbroker. May 5
 Rees, David, Swansea, Ironmonger. May 5
 Waller, Robert Ashton, Westhorpe, Suffolk. Apr 8
 Windsor, Joseph, and Samuel Masters, Stoke-upon-Trent, Builders. Apr 29

Liquidations by Arrangement.

FIRST MEETINGS OF CREDITORS.

FRIDAY, May 6, 1881.

Allen, Harry Ricketts, Leicester, Grocer. May 16 at 3 at offices of Wright, Belvoir st, Leicester
 Andrews, Stephen, Bristol, Boot Manufacturer. May 20 at 2 at offices of Phillips, Small st, Bristol. Bullard, Glastonbury
 Barbor, Robert, Aston-juxta-Birmingham, Carpenter. May 20 at 12 at offices of Buller and Bickley, Bennet's hill, Birmingham
 Beaton, John, and Augustus Beaton, Derby, Iron Merchants. May 24 at 2 at offices of Eddowes, St Mary's gate, Derby
 Bickford, Thomas, Torquay, Plasterer. May 25 at 12 at offices of Mackenzie and Hext, Fleet st, Torquay
 Bishop, Frederick, Leominster, Hereford, Innkeeper. May 25 at 3 at Royal Oak Hotel, Leominster. Browne, Brounyard
 Bladon, Thomas, Onkenegates, Salop, Boot Manufacturer. May 17 at 1 at Bull's Head Hotel, Wellington
 Blakey, John, and John Vanston, Bradford, Ironfounders. May 19 at 11.30 at offices of Berry and Robinson, Charles st, Bradford
 Bland, Richard, Kingston-upon-Hull, Tobaccoconist. May 18 at 11 at offices of Thorp and Firth, St Mary's chbrs, Lowgate, Kingston-upon-Hull
 Bonnell, Henry, Bradford, Saddler. May 18 at 3 at offices of Killick and Co, Commercial Bank bldgs, Bradford
 Bonser, James, jun, Moulton, Northampton, Draper. May 19 at 2 at offices of Pittman, Guildhall chbrs, Birmingham
 Borthwick, William, Birmingham, Coal Dealer. May 16 at 3 at Great Western Hotel, Colmore row, Birmingham. Williams, Birmingham
 Brayshaw, John, Chesterfield, Printer. May 20 at 3 at Angel Hotel, Chesterfield. Swaffield, Chesterfield
 Brill, Jesse, Maesteg, Glamorgan, Grocer. May 17 at 3.30 at Merchants' Association, Broad st, Bristol. Randall, Bridgend
 Buckley, William Clayton, Normanton, York, Grocer. May 19 at 3 at offices of Lister, Old Corn Exchange, Wakefield
 Butterworth, Edward, Blackpool, Confectioner. May 18 at 3 at offices of Blackhurst, Lytham st, Blackpool
 Carless, George, Worcester, Veterinary Surgeon. May 20 at 12 at offices of Hughes, Pierpont st, Worcester
 Chrisp, Thomas, Jarrow, Durham, Greengrocer. May 18 at 3 at offices of Mahane and Graham, Barrington-st, South Shields
 Christy, Richard, Weston, Hertford, Miller. May 24 at 4 at Crown-linn, Hitchin. Times, Hitchin
 Clarke, Thomas, Malpool and Hesnor, Derby, Blacksmith. May 20 at 12 at offices of Heath, Amen-alley, Derby
 Cooper, John, Gt Malvern, Worcester, Licensed Victualler. May 18 at 3 at offices of Allen and Beauchamp, Sansone pl, Worcester
 Corbett, Henry, King's Norton, Worcester, Butcher's Manager. May 13 at 3 at offices of Huggins and Mallard, Newhall st, Birmingham
 Crabtree, Charles, and James William Crabtree, Bingley, York, Paper and Paper Tube Makers. May 17 at 11 at offices of Harrison East parade, Leeds
 Creed, William, Cheltenham, Gloucester, Grocer. May 21 at 11 at offices of Clark, Regent st, Cheltenham
 Cross, Charles, Alfrick, Worcester, Farmer. May 21 at 11 at offices of Tree and Son, High st, Worcester
 Davey, Robert Edward, Reading, Berks, Provision Merchant. May 18 at 2.30 at offices of Creed, the Forbury, Reading
 Davies, William Sadler, Bedminster, Bristol, School Board Officer. May 16 at 12 at offices of Benson and Carpenter, Bank chbrs, Corn st, Bristol
 Davis, Edward, and Michael Joseph Gashlin, High Holborn, Tailors, June 1 at 12 at Law Institution, Chancery lane. Vanderpump, Gray's inn sq
 Dunn, John, Yelton, Northumberland, Farmer. May 19 at 11 at offices of Foster and Paynter, Fenslie st, Alwrick
 Edwards, Edward, Dudley, out of business. May 19 at 3 at offices of Waldron, High st, Brierley hill
 Emerson, Albert, Brighton, Builder. May 19 at 11 at offices of Pol-lard, Prince Albert st, Brighton
 Errington, William, and James Briggs, Sunderland, Durham, Cattle Food Manufacturers. May 18 at 11 at offices of Haswell and Marshall, John st, Sunderland
 Fantiogre, Thomas White, Great Grimsby, Lincoln, Glass Dealer. May 20 at 3 at offices of Mason, Victoria street South, Great Grimsby
 Fenton, William, Leeds, Smallware Dealer. May 17 at 3 at offices of Dunn and French, East parade, Leeds
 Frank, Joseph, New rd, Whitechapel, Licensed Fodder. May 27 at 3 at offices of Brighton and Co, Bishopsgate st Without

Garner, Frederick, Silchester road, Notting hill, Grocer. May 17 at 3 at offices of Durant, jun, Guildhall chambers, Basing hall at Goldstone, Israel, West st, Regent st, Trimming Seller. May 23 at 2 at offices of Montagu, Bucklebury
 Gray, William, Middlesborough, Tobaccoconist. May 18 at 3 at offices of Lewis, Zealand st, Middlesborough
 Green, George William, Heath Town, Stafford, Provision Dealer. May 20 at 11 at offices of Stratton, Queen st, Wolverhampton
 Gregory, Frederick, Burton-on-Trent, Carver. May 14 at 11 at offices of Wilson, Station rd, Burton-on-Trent
 Griffiths, William, Camerton, Cumberland, Tinplate Manufacturer. May 18 at 3 at County Hotel, Carlisle. Clutterbuck and Trevenan, Carlisle
 Hale, Thomas, and James Henry Fisher, Kingsford ter, Seven Sisters rd, General Drapers. May 26 at 3.30 at offices of Waite and Watts, Carter lane
 Hart, Elijah, Sheffield, Coal Merchant. May 20 at 11 at offices of Porrett, Bank st, Sheffield
 Hastings, James, and George Hastings, Great Yarmouth, Boat Builders. May 13 at 3 at offices of Preston, Regent st, Gt Yarmouth
 Hayes, Frederick, William, Linden gardens, Chiswick, Artist. May 25 at 2 at offices of Miller and Miller, Sherborne lane
 Hemm, Charles, Rawson, Nottingham, Grocer. May 23 at 3 at offices of Whittingham, Middle Pavement, Nottingham
 Hicks, William, Stock, Worcester, Licensed Victualler. May 25 at 3 at offices of Simmons, Evesham st, Redditch
 Hull, John, Bedford, Builder. May 19 at 1 at Inns of Court Hotel, Holborn. Conquest and Clare, Bedford
 Ishman, Wolf, Liverpool, Paint Dealer. May 17 at 3 at offices of Levy, North John st, Liverpool
 Jackson, Samuel, Heckington, Lincoln, Grocer. May 19 at 12.30 at Red Lion Hotel, Boston, Bailes, Boston
 Jarrett, Charles Berners, Milnthorpe, nr Winchester. May 20 at 3 at Royal Hotel, Winchester, Taylor, Theobald's rd
 Jobson, John, Birkenhead, Chester, Plumber. May 19 at 11 at offices of Bleaker and Downham, Hamilton sq, Birkenhead
 Johns, Thomas, Monmouth, Grocer. May 27 at 12 at offices of Parsons and Balding, Trafalgar pl, Newport. Colborne and Ward Newport
 Jones, John, Liverpool, Builder. May 18 at 2.30 at offices of Geo, North John st, Liverpool
 Jones, John Allan, jun, Birmingham, Earth Closet Manufacturer. May 17 at 12 at offices of Saunders and Bradbury, Temple row, Birmingham
 Jones, Theodore Cook, Derby, Draper. May 23 at 2 at Midland Hotel, Derby. Belk, Nottingham
 Judd, Henry, Elizabeth villas, Hornsey rise, Journalist. May 16 at 2 at offices of Norris, Southampton bldgs, Chancery lane
 Judd, Joseph Hitchman Nicoll, Brynmawr, Brecknock, Grocer. May 20 at 12 at offices of Parsons and Balding, Tredegar pl, Newport
 Simons and Plews, Merthyr Tydfil
 Kinkman, Henry, Bolton, Paper Manufacturer. May 20 at 3 at office of Eckersley, Mawdsley st, Bolton
 Law, Charles, West Melton, nr Rotherham, Draper. May 25 at 4 at offices of Rideal, Chronicle chbrs, Barnsley
 Leggro, Frederic Edwin, Sheffield, out of business. May 16 at 12 at offices of Pierson, Queen st, Sheffield
 Mabe, Thomas Alfred, Westmoreland rd, Wulworth, Grocer. May 21 at 3 at 38, Westmoreland rd, Walworth
 Mabe, William, Swansea, Butcher. May 20 at 3 at offices of Thomas, Fisher st, Swansea
 Manager, Richard, Crampton rd, Penge, out of business. May 18 at 11 at offices of Hughes, Eastcheap
 Marsland, John, Oldham, Mechanic. May 27 at 3 at Mitre Hotel, Cathedral yd, Manchester. Clark, Oldham
 Mathews, William Henry, Wollaston, Worcester, out of business. May 18 at 3 at offices of Homfray and Holberton, High st, Brierley hill
 McDonald, William, Gt Grimsby, Lincoln, Smack Owner. May 16 at 11 at offices of Grange and Winttingham, St Mary's chambers West, St Mary's gate, Gt Grimsby
 McKinnon, John, Bolton, Lushborough, Grocer. May 18 at 11 at offices of Jackson, Albert rd, Middlesborough
 McNeff, George, Edgware rd, Unredeemed Pledge Salesman. May 30 at 2 at 34 Gt Quebec st, Marylebone rd
 Millington, John, Wigan, Bricklayer. May 18 at 10 at offices of Wilson, King st, Wigan
 Mills, Samuel Willis, Birmingham, Beer Retailer. May 19 at 3 at offices of Jaques, Temple row, Birmingham
 Morgan, David, Llanfihangel Helygen, Radnor, Farmer. May 18 at 2 at County Court Office, Buth. Williams and Co, Newtown
 Moss, Frederick William, Vauxhall walk, Vauxhall, Veterinary Surgeon. May 18 at 12 at offices of Plunkett and Leader, St Paul's churchyard
 Murton, Henry, Liverpool, Provision Merchant. May 30 at 2 at offices of Spencer, Cook st, Liverpool
 Newberry, William, Grove rd, Holloway, out of business. May 26 at 4 at offices of Holloway, Ball's Pond rd. Cooper, Lincoln's inn fields
 Newton, John, Nottingham, Grocer. May 18 at 3 at offices of Belk, Middle pavement, Nottingham
 Ogden, James, Bolton, Lancaster, Grocer. May 20 at 3 at offices of Whittingham, Exchange st, Bolton
 Parkinson, Edmund Wollaston, Hill at, Brompton, M.D. May 26 at 2 at Crown Inn, Royston. Blood, Winttingham
 Pencock, Charles Beckett, Regent st, Silversmith. May 25 at 4 at Westminster Palace Hotel, Victoria st, Westminster
 Parton, Thomas, Crewe, Chester, General Dealer. May 23 at 11 at offices of Hill, Market st, Crewe
 Pencock, James, Pulborough, Sussex, Sadler. May 20 at 11.30 at Inns of Court Hotel, Holborn. Mant, Storrington
 Pearce, Richard, Brighton, Hatter. May 25 at 12 at offices of Edmonds and Co, Champs-ell. Pollard, Brighton
 Pearson, Thomas, Barnton, Chester, Farmer. May 16 at 12 at Wood-side Hotel, Birkenhead. Mason, Chester
 Phipps, Edward George, Church Streeton, Salop, Grocer. May 23 at 12 at offices of Corser and Son, Swan hill, Shrewsbury

Pollard, Richard Watson, Blaydon, Devon, Farmer. May 19 at 3.30 at Major's Commercial Hotel, Newton Abbott. Francis and Co, Newton Abbott.

Poppellwell, George Henry, Orston, Nottingham, out of business. May 18 at 12 at offices of Belk, Middle pavement, Nottingham.

Purglove, Ismael, Hayfield, nr, Stockport, Quarry Owner. May 31 at 12 at 79 Piccadilly, Manchester. Shakespeare, Chancery lane.

Ramsay, Henry Taylor, Kingston upon Hull, Watchmaker. May 17 at 2 at offices of Henry, Furnival's inn, Holborn.

Robinson, Benjamin Frederic, Witton cum Twambrooks, nr Northwich, Chester, Baker. May 26 at 11.30 at Wilson's Commercial Hotel, Bridge st, Runcorn. Cooke

Scarlett, Edward Charles, Leominster, Hereford, out of business. May 29 at 12 at Royal Oak Hotel, Leominster. Moore, Leominster.

Schiffner, John, St John st, Clerkenwell, Card Box Manufacturer. May 12 at 3 at offices of Whetherill, Queen st, Chapside.

Selby, Thomas, Frisby on the Wreake, Leicester, Farmer. May 19 at 2 at Bell Hotel, Humberstone gate, Leicester. Atter, Melton Mowbray.

Sheppard, Richard Henry, Bedminster, Bristol, Licensed Victualler, May 16 at 11 at offices of Ward, Albion chambers, Bristol.

Simpson, Sam, and Wharton Crossley, Bradford, York, Coal Merchants. May 16 at 3 at offices of Neill, Kirkgate, Bradford.

Smethurst, Henry, Stafford, Jeweller. May 18 at 11 at offices of Morgan, Martin st, Stafford.

Smith, George, Dalby on the Wolds, Leicester, Grocer. May 20 at 12 at offices of Bartlett, Mill st, Loughborough.

Smith, Sydney Edmund, Lower Thames st, Packing Case Maker. May 23 at 12 at offices of Tower, Thames st.

Smith, William, Stroud, Gloucester, Hotel Keeper. May 21 at 12 at offices of Jackson, George st, Gloucester.

Solway, John, and James Solway, Weston super Mare, Builders. May 23 at 12 at offices of Weymouth, Regent st, Weston super Mare. Mann and Rodway Trowbridge.

Summers, William, Hackney rd, Oil and Colour Man. May 18 at 3 at offices of Ellis and Crossfield, Mark lane.

Terry, William, Birmingham, Licensed Victualler. May 20 at 3 at offices of Butler and Bickley, Bennett's hill, Birmingham.

Tibbatts, William Thomas, Bristol, Grocer. May 21 at 12 at offices of Andrews, Nicholas st, Bristol.

Tilbury, Thomas, Church rd, Willesden, Builder. May 16 at 12 at offices of Greenfield, Abchurch lane.

Towler, Levi, Burton in Lonsdale, York, Cotton Spinner. May 27 at 3 at offices of Chorlton, Brazenose st, Manchester.

Turville, Amos, Coventry, Warwick. May 23 at 11 at offices of Goate, Little Park st, Coventry.

Tyson, William, Great Grimsby, Lincoln, Grocer. May 17 at 2 at the White Hart Hotel, Old Market pl, Great Grimsby. Stead and Sibree, Kingston upon Hull.

Waldron, John, Fulford, Winchester, Wine and Spirit Merchant. May 25 at 1.30 at the Black Swan Hotel, Winchester. Eve, Aldershot.

Westby, Henry, Burtonwood, nr Newton le Willows, Lancaster, Farmer. May 27 at 3.30 at 41, Legh st, Earlestown. Riley.

Wilcock, John, Clitheroe, Lancaster, Ironmonger. May 20 at 3 at the Mitre Hotel, Cathedral gates, Manchester. Robinson, Bolton.

Wilkinson, William, Wolverley, nr Wen, Salop, Farmer. May 19 at 3 at the Crown Hotel, St Mary's st Shrewsbury. Morris and Sons, Shrewsbury.

Wood, George, Wraybury, Buckingham, Paper Manufacturer. May 20 at 1 at the Guildhall Tavern, Gresham st. Lott, Gt George st, Westminster.

Wood, Joseph, Leeds, Grocer. May 17 at 3 at offices of Granger and Raper, Bank st, Leeds.

Woodyat, William Henry, Treharris, Weigher. May 18 at 10.30 at offices of Howells, Aberdare.

TUESDAY, May 10, 1881.

Adams, James Andrew, Ashton-under-Lyne, Lancaster, Saddler. May 24 at 3 at offices of Jones, 61, King st, Manchester.

Allen, Joseph Ogden, Manchester, Provision Merchant. May 27 at 3 at offices of Cobbett and Co, 61, Brown st, Manchester.

Ayes, Henry, Mildenhall, Suffolk, Farmer. May 23 at 11 at the White Hart Hotel, Mildenhall. Read, Mildenhall.

Baker, James, Ormskirk, Lancaster, Potato Dealer. May 23 at 11 at offices of Brighouse and Brighouse, Ormskirk.

Barker, Edward, Whitehaven, Cumberland, Hatter. May 21 at 11 at offices of Mason, 67, Duke st, Whitehaven.

Barracough, Joseph, Bradford, York, Grocer. May 20 at 11 at offices of Peel and Co, 135, Chapel lane, Bradford.

Baxendale, Joseph, Kirkgate, Wakefield, York, Clogger. May 24 at 3 at Golden Lion Hotel, Le ds. Harrison and Beaumont.

Bell, George John, Newcastle-on-Tyne, Merchant. May 20 at 2 at offices of Traders' Association, 32, Grainger st West, Newcastle-on-Tyne.

Blake, Thomas, Fenton, Stafford, Grocer. May 24 at 11 at offices of Leech, Ironmonger, Newcastle-under-Lyme.

Bilsbrough, William Thomas, Preston, Innkeeper. May 26 at 11 at County Court Offices, Winckley st, Preston. Fryer, Preston.

Bishop, James, Southampton, Chemist. May 19 at 3 at offices of Lomas and Co, Old Jewry chmbrs, Watts, Southampton.

Brain, William, Dockha st, nr Clondorf, Gloucester, Farmer. May 23 at 12 at offices of Parker, Newnham.

Briggs, Thomas Francis Richard, Sheerness, Kent, Taylor. May 10 at 12 at Sun Hotel, Chatham. Stallion, Sheerness.

Brown, William Henry, Birmingham, Journeyman Painter. May 20 at 3 at offices of East, Temple st, Birmingham.

Browne, Michael Charles, Schoolmaster, Waterloo rd. May 21 at 2 at offices of Hurd, Chapside.

Burrell, Thomas, Hirstall, York, Draper. May 24 at 3 at Royal Hotel Dewsbury. Smith and Wallis, Hirstall.

Burton, Frederick, Daniel, Sheffield, Professor of Music. May 20 at 11 at offices of Mellor, Queen st, Sheffield.

Chase, Francis, Thompson, Denmark terrace, Hornsey, Baker. May 18 at 3 at offices of Godfrey, Gresham bldg, Guildhall.

Clart, Thomas, Manchester, Paper Manufacturer. May 26 at 11 at the Mitre Hotel, Cathedral gates Manchester. Preston and Young, Manchester.

Cox, William, Feckenham, Worcester, Stone Mason. May 25 at 11 at offices of Scott, and Horton, New rd, Bromsgrove.

Croft, Frederick, Lester, Bradford, York, Book keeper. May 20 at 11 at offices of Greenes and Taylor, Chapside, Bradford.

Crosby, John, Bradford, York, Saddler. May 23 at 4 at offices of Last and Betts, Bond st, Bradford.

Cross, Charles, Redditch, Worcester, Engineer. May 23 at 11.30 at offices of Powell and Browett, Ann st, Birmingham.

Cummings, James, Birmingham, Fishmonger. May 20 at 3 at offices of Fallows, Cherry st, Birmingham.

Dark, Joseph, Copenhagen st, Islington. May 24 at 4 at offices of Holmes, Rushcheap.

Davis, Edward, and Michael Joseph Gashion, High Holborn, Tailors. June 1 at 12.30 at offices of Vanderpump, Gray's inn sq.

Denham, Joseph, Low Felling, Durham, Grocer. May 23 at 3 at offices of Pybus, Post Office chmrs, St Nicholas sq, Newcastle upon Tyne.

Dicksee, Samuel James Cox, Crowborough Cross, Sussex, Minister. May 25 at 2 at offices of Pilgrim, Southampton st, Bloomsbury.

Dobson, Elizabeth, Kirkgate, Wakefield, Innkeeper. May 23 at 11 at the Foresters room, Crown ct, Wakefield. Mander and Son, Wakefield.

Drakes, Daniel, Market Rasen, Lincoln, Farmer. May 18 at 11 at offices of Chambers, King st, Market Rasen.

Eales, Edward Nicholas, and William Wright Eales, Coventry, Grocers. May 23 at 1 at offices of Neale, Hay lane, Coventry.

Ewins, Samuel Daniel, Ave Maria lane, Ludgate hill, Fancy Warehouseman. May 21 at 11 at offices of Eley, New Broad st.

Finch, Benjamin, High Holborn, Sanitary Engineer. May 31 at 2 at Guildhall Tavern, Gresham st. Montague, Bucklebury.

Fitzgerald, Patrick, Bolton, Lancaster, Provision Dealer. May 23 at 3 at offices of Rutter and Finney, Mawdsley st, Bolton.

Forbes, James, South Shields, Licensed Victualler. May 20 at 3 at offices of Newlands, King st, South Shields.

Gascoine, William Gustavus, Central Meat Market, Meat Salesman. May 24 at 1 at offices of Seymour Hubbard, London Joint Stock Bank chmbrs, West Smithfield.

Gent, George, Clevedon, Somerset, Medical Practitioner. May 23 at offices of J. and S. E. Parsons, High st, Bristol. Bakers and Co, Weston-super-Mare.

Gittins, Thomas Jordan, Stoke-upon-Trent, Licensed Victualler. May 19 at 11.30 at Gleebe Hotel, Gleebe ct, Stoke-upon-Trent. Ashwell, Stoke-upon-Trent.

Hancox, John Handel, Oldswinford, Worcester, Chartermaster. May 23 at 3 at offices of Addison, High st, Brierley Hill.

Hand, Thomas Daniel, Leicester, Builder. May 24 at 12 at offices of Shires, Market st, Leicester.

Harvey, John, Stoney Stanton, Leicester, Licensed Victualler. May 24 at 3 at offices of Hincks, Bowling Green st, Leicester.

Haynes, James Thomas, Walthamstow, Essex, Ginger Beer Maker. May 18 at 11 at Broadway, Stratford.

Heath, John Grindy, Rudyard, Stafford, Butcher. May 21 at 2 at offices of Bloor, Stockwell st, Leek.

Heppel, Jane, Durham, Bootmaker. May 25 at 11 at offices of Marshall, Market pl, Durham.

Hill, Jason, Sambourne Warren, Warwick, Feed Manufacturer. May 24 at 11.30 at offices of Powell and Browett, Ann st, Birmingham.

Hill, Samuel, Husbands Bosworth, Leicester, Farmer. May 23 at 3 at offices of Watson and Baxter, Lutterworth. Leader, Rugby.

Hillard, Thomas, Yarlington, Somerset, Farmer. May 23 at 12 at the Greyhound Hotel, Wincanton, Somerset. Hobbs, jun., Wells.

Hodnett, Joseph, Wombidge, Salop, Grocer. May 21 at 11.30 at offices of Young, Market st, Wellington. Phillips and Co, Shifnal.

Holland, Manningtree, Essex, Whitesmith. June 3 at 1 at Packet inn, Manningtree. Pollard, Ipswich.

Hubbard, Horatio, Hatton wall, Holborn, Baker. May 19 at 3 at offices of Micklethwait, Red Lion sq, Holborn.

Hughes, George, Llandilo, Carmarthen, Ironmonger. May 26 at 11 at the Grand Hotel, Broad street, Bristol. Morris, Carmarthen.

Jackson, James Walter, Billingsgate Market, Fish Salesman. May 19 at 3 at offices of Ley and Brocklesby, Water lane, Great Thames st.

Jenkins, Evan, and Thomas Jenkins, Swansea, Grocers. May 18 at 3 at offices of Collins, Broad st, Bristol. Evan and Davies, Swansea.

Jones, George, Prestatyn, Flint, Accountant. May 24 at 3 at Royal Hotel, Rhyl. Evans, Holywell.

Jones, John, Lampeter, Cardigan, Builder. May 28 at 2 at offices of Lloyd, High st, Lampeter.

Jones, Watkin, Newport, Mon. Coal Merchant. May 20 at 11 at office of Vaughan, Dock st, Newport.

Jordan, Richard, Stonecroft, nr Liverpool, Builder. May 23 at 12 at offices of Paynter, South Castle st, Liverpool.

Knowles, John, Runcorn, Chester, Licensed Victualler. May 24 at 3 at Wilson's Hotel. Day and Lake.

Lee, Levi, Russell villas, Seven Sister's rd, Builder. May 23 at 2 at offices of Kelly, Molyneux chmrs, Goswell rd.

Lees, William, Warwick, Grocer. May 23 at 11 at 18, High st, Warwick. Boddington, Warwick.

Lloyd, Richard, Giffachgrech, Llantrissant, Glamorgan, Tailor. May 21 at 12 at offices of Rosser, High st, Pontypridd.

Luff, George Thomas Baker, Cadogan mansions, Shano sq, Builder. May 23 at 3 at offices of Van Tromp, Essex st, Strand.

Mabo, George, Templeton, Narberth South, Pembroke, Butcher. May 21 at 11 at offices of Lawells, Narberth.

Maiman, Alfred Reid, Bala, Merioneth, Grocer. May 27 at 11 at offices of Roope and Price, North John st, Liverpool. Grace and Smith, Liverpool.

Manley, Henry James, Barnstable, Innkeeper. May 23 at 2 at office of Breckon, High st, Barnstable.

Mansell, William, Little Queen st, Bookbinder. June 3 at 3 at Law Institution, Chancery lane. Vanderpump, Gray's inn sq.

Marsh, George John Eyton, Westow terrace, Upper Norwood, Grocer. May 25 at 2 at Masons' Tavern, Basinghall st. Brown, Basinghall st.

McCowan, Heywood, Lancaster, Grocer. May 20 at 3 at offices of Grundy, 14, Union st, Bury

Mignot, William John, Shipton st, Hackney rd, Boot Manufacturer. May 25 at 3 at offices of Harte, 47, Moorgate st

Millns, Rebecca, North Wingfield, Derby, Grocer. May 26 at 3 at offices of Gee, High st, Chesterfield

Mims, George, Gt Peter st, Westminster, Licensed Victualler. May 20 at 12 at offices of Chandler and Co, 15, Coleman st

Moyes, Laurie, Camden rd, Commercial Traveller. May 23 at 2 at offices of Smith, 37, Walbrook

Napper, David, Birdhand, Sussex, Farmer. May 27 at 2 at offices of Gregory, 51, East st, Chichester

Neave, Alfred James, Kingston, Surrey, Auctioneer. May 28 at 10 at offices of Cannon, The Broadway, Wimbledon

Newton, Robert, Kingston-upon-Hull, Grocer. May 23 at 3 at Bank chbrs, Land of Green Ginger, Hull. Redfeam

Norton, George Edmund, Shaftesbury, Dorset, Grocer. May 21 at 3.30 at Temperance Hall, Bell st, Shaftesbury. Rutter and Son, Mere

Orton, Samuel Allinson, Heywood, Lancaster, Solicitor. May 23 at 3 at offices of Heath and Sons, 43, Swan st, Manchester

Pess, Benjamin, Castle st, Falcon sq, Furrer. May 24 at 3 at offices of Wright, Walbrook

Pearse, Richard, Wyke, Kent, Coal Merchant. May 24 at 12.30 at the Queen's Head Inn, Canterbury

Proctor, Isaiah, Sutton-in-Ashfield, Nottingham, Beerhouse Keeper. May 25 at 11 at offices of Stevenson, Weekday-cross, Nottingham

Prout, Henry John, Burton Bradstock, Dorset, Baker. May 27 at 12 at offices of Gundry, Bridport. Lock, Dorchester

Raines, John, Dukinfield, out of business. May 25 at 3 at offices of Coates, Old st, Ashton-under-Lyne

Rawding, George, St. Helen's, Lancaster, Licensed Victualler. May 31 at 3 at offices of Sutton and Elliott, Four-tain st, Manchester

Reed, Thomas, Bumble Hole, near Dudley, Licensed Victualler. May 29 at 11 at offices of Shakespeare, Church st, Oldbury

Reeve, Lewis, Greasley, Nottingham, Wheelwright. May 23 at 11 at offices of Stevenson, Weekday cross, Nottingham

Robins, Charles William, Highworth, Wilts, out of business. May 19 at 11 at Bell Hotel, Faringdon

Robins, George, Liverpool, Outfitter. May 20 at 10 at offices of Knowles, Cook st, Liverpool

Robinson, John, Darlington, Durham, Grocer. May 23 at 11 at offices of Wilkes and Wilkes, Northgate, Darlington

Sanders, Benjamin Eleazar, Aston, Birmingham, Brassfounder. May 17 at 3 at offices of East, Temple row, Birmingham

Skau, Elizabeth Bryan, Birmingham. May 17 at 3 at offices of Jaques, Temple row, Birmingham

Smith, Abraham Edwin, Bath, Licensed Victualler. May 13 at 11 at at Christopher Hotel, Market place, Bath. Bartrum and Bartlett, Bath

Smith, Thomas Slater, Altonbury, Huntingdon, Merchant. May 25 at 1.30 at George Hotel, Huntingdon. Hunnybun

Smith, David, Barrow-in-Furness, out of business. May 26 at 11 at Imperial Hotel, Barrow-in-Furness. Nalder and Jones, Barrow-in-Furness

Startup, Thomas William, Bucklersbury, Wine and Spirit Merchant. May 26 at 3 at 5, Mark lane. Sorrell and Son, Gt Tower st

Stevens, Thomas, Bradford, Berks, Clerk in Holy Orders. May 24 at 2 at the Queen's Hotel, Reading. Longbourne and Co, Lincoln's inn fields

Story, James, Kingston-upon-Hull, Tailor. May 26 at 2.30 at Imperial Hotel, Fargson st, Kingston-upon-Hull. Stamp and Co, Kingston-upon-Hull

Stott, George, Walton-le-Dale, Lancaster, Labourer. May 23 at 11 at the County Court Offices, Wincley st, Preston. Fryer, Preston

Swann, the Rev. Ernest Henry, Tottington, Norfolk, Clerk. May 23 at 2.30 at offices of Overbury and Gilbert, Upper King st, Norwich

Thompson, Thomas, and John Wharham, Lincoln, Drapers. May 24 at 12.30 at offices of Hayes and Son, Market pl, Gainsborough

Tulley, Reuben, Hastings, Builder. May 24 at 12 at Provincial Hotel, Havelock rd, Hastings. Hare, Finner's ct, Old Broad st

Tutcher, Henry, Bristol, Currier. May 23 at 12 at offices of Collins Broad st, Bristol. Beckingham, Bristol

Uthborn, Johanna Caroline, and Jules Billhardt, Barbican, General Merchants. May 18 at 2 at offices of Phelps and Co, Gresham st

Uppill, Robert Horace Gray, Walsall, Malleable Ironfounder. May 23 at 12 at offices of Underhill, Darlington st, Wolverhampton

Upton, George Evans, Old Jewry, Dealer in China. May 25 at 2 at Masons' Hall Tavern, Masons' avenue, Basinghall st

Vince, John, Duke st, Grosvenor sq, Scotch Woollen Warehouseman. May 23 at 12 at offices of Joselyne and Co, King st, Chesapeake. Nicholls, Gresham st

Vorrey, Enoch, Drybrook, Gloucester, Licensed Victualler. May 26 at 2 at Swan Hotel, Cinderford, Goldring

Ward, James, Liverpool, Licensed Victualler. May 23 at 3 at offices of Gibson and Bolland, South John st, Liverpool

Watson, Henry William, junr., Sunderland, Wholesale Druggist. May 29 at offices of Robinson, West Sunnside, Sunderland

Wilkins, Frank, and Robert Wilkins, Fulham rd, South Kensington, Builders. May 19 at 2 at Cannon st, Hotel, Cannon st. Rawlins, Queen Victoria st

Williams, Arthur Henry, Liverpool, Pianoforte Dealer. May 23 at 4 at offices of Lowe, Mount Pleasant, Liverpool

Williams, Henry, Pontypridd, Glamorgan, Grocer. May 24 at 12 at offices of Rosser, High st, Pontypridd

Wood, Stephen, Longton, Stafford, China Dealer. May 25 at 11 at offices of Tomkinson and Farnival, St. John's chambers, Queen st, Burnham

Woods, Edwin, Great Grimsby, Lincoln, Commission Merchant. May 27 at 3 at at Yarrowburgh Hotel, Great Grimsby. Mason, Great Grimsby

Yonak, William, Chittlehampton, Devon, Builder. May 23 at 12 at offices of Thorpe, Castle st, Barnstaple

Zurhorst, Alfred Robert Victoria Dock rd, Canning Town, Whole sale Confectioner. May 21 at 2 at Mason's Hall Tavern, Mason's avenue, Basinghall st. Gregory, Cannon st

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